

March 09, 2021

ARDR

(41)

WPA 5167 of 2021

M/s. U. B. Industries & anr.

Vs.

WBSEDCL & Ors.

Mr. Biswajib Ghosh,
Mr. Sumitava Chakraborty,
Ms. R. Majumder

...for the petitioner.

Mr. Sujit Sankar Koley,

...for the WBSEDCL.

Mr. Tarun Kumar Ghosh,
Ms. Debarati (Bose) Sen,

...for the State.

The grievance of the petitioner is directed against non-consideration of his representation (Annexure P/6 at page 44) dated 15th February, 2021.

It is submitted on behalf of the petitioner that only grievance of the petitioner is that the aforesaid representation has not been considered by the respondent authorities.

The respondent are represented.

It is submitted on behalf of the respondents that there is no scope in law for consideration of the representation of the petitioner.

It is further submitted on behalf of the respondent authorities that the petitioner assails a final order of assessment and there is also a question of pilferage of electricity.

It is further submitted by the respondents that the petitioner has a statutory alternative remedy available to him in law and there is no scope for consideration of the representation of the petitioner.

In view of the failure of the petitioner to demonstrate that petitioner has an enforceable legal right to have the question of final order of assessment to be considered by way of this representation and the fact that there is a question of theft of electricity involved, I am of the view that no order can be passed in favour of the petitioner.

WPA 5167 of 2021 is dismissed. However, there shall be no order as to costs.

The petitioner is granted liberty in accordance with law to avail of the efficacious and alternative remedy available to the petitioner, if so advised.

(Ravi Krishan Kapur, J.)