

28.01.2021
Sl.No.25
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4422 of 2020

Asit Mondal
Vs.
The State of West Bengal & Ors.

Mr. Asit Kr. Bhattacharya

....for the petitioner.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

....for WBSEDCL.

By an order dated 4th January, 2021, the concerned Regional Grievance Redressal Officer (in short RGRO) was directed to be added as a party respondent and a copy of the amended writ petition to be served on him. The amendment has been carried out and a copy of the amended writ petition has been served on the concerned RGRO, being the respondent no.6 in the writ petition.

Affidavit of service filed in Court today is taken on record.

Mr. Nayak appearing on behalf of the respondent nos.1-5 submits that he has the instruction to appear on behalf of the respondent no.6 and the respondent no.6 is actually the respondent no.4, however, in a different capacity as the RGRO.

The petitioner says that by an order 14th March, 2019 passed in the petitioner's previous writ petition, being W.P. 10899(W) of 2013, the petitioner was directed to approach the concerned RGRO. The RGRO was directed to dispose of the grievance of the petitioner within a period of two months from the date of receipt of the complaint.

The petitioner says that despite being approached, the said RGRO has not disposed of the petitioner's

complaint within the time frame provided in the order dated 14th March, 2019.

On behalf of the said respondent no.6 (RGRO), it is submitted that the complaint by the petitioner was not lodged before the RGRO and as such, the same was not disposed of within two months in terms of the order dated 14th March, 2019. The petitioner, according to West Bengal State Electricity Distribution Company Limited (in short WBSEDCL), approached the wrong person, and as such, the complaint remains pending.

Be that as it may, since the concerned RGRO has been made a party respondent, being the respondent no.6 in the instant application, the confusion, if any, as to the proper officer can no more exist.

The petitioner is permitted to approach the respondent no.6 within 8th February, 2021 making complaint as to the bill dated 23rd February, 2019 raised by WBSEDCL.

The RGRO, if approached, shall dispose of the petitioner's complaint within a period of two months from the date of receipt of the same by a reasoned order after affording an opportunity of hearing to the parties.

So far as the issue of reconnection of petitioner's electric supply is concerned, the petitioner shall approach the respondent no.6 with a prayer for reconnection.

The respondent no.6 on being approached shall take up the issue of reconnection as a preliminary issue before finally adjudicating the matter. The respondent no.6 shall ascertain the arrears of the petitioner by taking into consideration the payments already made by the petitioner and then direct reconnection on payment of 50% of the arrears to be paid within a reasonable period of time..

This direction is given as there is no ascertained figure before the Court regarding the arrears and the payments said to have been made by the petitioner for which this Court cannot pass direction at this stage for reconnection on payment of 50% of the arrears.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Arindam Mukherjee, J.)