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**W.P.A 10530 of 2021**

**(via video conference)**

**Ma Chandi Durga Cement Ltd. & Anr.  
-Vs-  
Damodar Valley Corporation & ors.**

Mr. Suchayan Banerjee  
Mr. Jishnu Chowdhury  
Mr. S.K. Banerjee  
Mr. Souradeep Banerjee  
Ms. Sanjana Sinha

... for the petitioners

Mr. Jaydeep Kar, Sr. Adv.  
Mr. Prasun Mukherjee

... for the D.V.C.

Heard learned counsel appearing for the parties. This writ petition has been filed by the petitioner making prayer for relief by way of granting installment in making payment of electricity bill for the month of April, 2021 on the ground of financial difficulty due to prevailing Covid situation, labour problem and scarcity of Oxygen. The petitioner has relied on earlier several orders of this court annexed to the writ petition granting similar relief to the petitioner as appears at Annexure-P-2 and P-3 to the writ petition.

Mr. Jaydeep Kar, learned Senior advocate appearing on behalf of the respondents/electricity authority opposes the prayer of the petitioner by contending that the petitioner has already consumed the electricity bill and the bill raised is confined to consumption of electricity and the petitioner has not paid the said bill and approached this court for installment, if such prayer is allowed, the

petitioner will take advantage of not making such payment in future.

There is a dispute with regard to the security also and to that effect, Mr. Chowdhury, learned counsel for the petitioner submits that in that regard, his representation dated 11.5.2021 is pending before the respondent authority and has not been disposed of.

Considering the submission of the parties, this writ petition is disposed of by permitting the petitioner to pay the electricity bill in question for the month of April, 2021 along with statutory charges for delay in three equal installments. First of such installment is to be paid by 10<sup>th</sup> of June, 2021 and the second and third installment by 10<sup>th</sup> July, 2021 and 10<sup>th</sup> August, 2021 respectively. The petitioner will go on paying the current bills without claiming any installment.

The respondent concerned shall also consider and dispose of the aforesaid representation dated 11<sup>th</sup> May, 2021 with regard to the security in question within two weeks from date in accordance with law and by giving opportunity of hearing to the petitioner through virtual mode. In case of default of in any of the installment, the respondent/D.V.C. will be at liberty to take action against the petitioner in accordance with law including disconnection of the electricity supply.

This order of granting installment has been passed in view of the exceptional circumstances involved in this case.

The writ petition being W.P.A. 10530 of 2021 is disposed of accordingly.

All parties are to act on the server copies of this order duly downloaded from the official website of this Court.

(Md. Nizamuddin, J.)