

08.10.2021

Ct. No.13

Sl. No.9

akd

W.P.A. 16781 of 2021 [via video conference]

[Shikha Roy -Vs- The State of West Bengal & Ors.]

Mr. Uday Narayan Betal
Mr. Kingsuk Mondal
... .. for the petitioner

Mr. Srijan Nayak
Mrs. Rituparna Maitra
..... for the WBSEDCL

Mr. Malay Krishna De
Mr. Debojit Samanta
... .. for the State

The writ petitioner is aggrieved by the order of disconnection of electricity for using load and in excess of the sanctioned capacity for their husking/oil mill. The electricity supply of the petitioner was disconnected on 1st October, 2021.

Learned counsel for the licensee submits that proceedings under Section 135(e) and 138(a) of the Electricity Act, 2003 have already been initiated. The said sections are concerned with theft of electricity.

However, this court finds that the petitioner has been regularly paying all the bills as raised by the licensee on her. All that remains to be done is enhancement of the load and capacity of the petitioner.

The petitioner shall in course of the day be informed by the licensee of the required load and capacity. The writ petitioner shall make a formal application of enhancement of such load and comply with all formalities including enhancement of any security deposit. After completion of the aforesaid process and upon payment of reconnection and other charges and any

outstanding dues of regular consumption, the electricity of the petitioner shall be restored immediately.

The licensee may at its discretion restore electricity if it is satisfied with regard to the applications and payments made in terms of the Rules even before compliance of the aforesaid formalities. It is expected that the licensee will act as promptly as possible since the petitioner claims to have lost a lot of business for not having electricity for about eight days now.

Needless to mention that the petitioner shall be responsible for complying with all the requirements of the licensee. Let the aforesaid exercise be completed as far as possible within 48 hours.

If electricity connection is restored and the capacity load is increased in terms of the applicable Rules, all other proceedings taken out by the licensee against the petitioner shall stand automatically terminated and rendered infructuous.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)