

Item- 29-10-2021
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WPA 17425 of 2021

Mir Mustak Ahamed
Versus
The State of West Bengal & Ors.

BR & Ct. 6
sg

(Through Video Conference)

Mr. Sarwar Jahan, Adv.
Mr. Anisur Rahman, Adv.
...for the petitioner

Mr. Sujit Sankar Koley, Adv.
...for WBSEDCL

Mr. Debjit Mukherjee, Adv.
Ms. Susmita Chatterjee, Adv.
...for the State

The petitioner has approached this Court with a prayer for restoration of the electricity connection which was disconnected on the allegation of pilferage.

It has been submitted by the learned Advocate for the petitioner that in the meantime the final order of assessment has been passed. He further submits that pursuant to orders passed by the learned Judge, Special Court, Berhampore on December 15, 2020 and August 27, 2021, the petitioner has already deposited a sum of Rs.4 lakhs.

The petitioner prays for liberty to approach the Appellate Forum under Section 127 of the Electricity Act, 2003 upon paying the balance amount of half of the assessed amount of the final assessment. Since the order of final assessment is an appealable one, the petitioner has to avail of the said remedy provided under the statute.

In the event, the petitioner deposits the balance amount of half of the assessed amount of the final assessment and files an appeal before the appellate authority, the appellate authority shall consider the same strictly in accordance with law.

It will be open to the petitioner to approach the Appellate Authority for restoration of supply of electricity.

WPA 17425 of 2021 is, accordingly, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)