

35
10.12.2021
TN

WPA No.19160 of 2021

Md. Ataur Rahman
Vs.
CESC Limited and another

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder

.... for the petitioner

Mr. Somnath Bose

.... for the CESC Limited

Learned counsel for the petitioner contends that an arbitrary amount of Rs.6,75,532/- was charged from the petitioner on the petitioner's application for new domestic connection. Such bill was raised as per the Annexure-P1 at page-9 of the present writ petition. It is contended that, on the face of it, the said amount is exorbitant and cannot be charged for a domestic connection.

It is contended by learned counsel for the CESC Limited that the subsequent revised bill annexed at page-10 (Annexure-P2 of the writ petition) indicates that the amount initially charged was reduced to Rs.6,02,593/-. Learned counsel further contends that the charges, as reflected in the bill, were calculated on

sufficient material basis, keeping in view of the location and attending circumstances at the premises.

In reply, learned counsel for the petitioner submits that the petitioner has also challenged the subsequent bill in the present writ petition.

Upon a perusal of the documents and the extant Regulations, it is evident that any dispute as to such assessment as in the present case shall be referred to the concerned Grievance Redressal Officer (GRO).

This court, sitting in writ jurisdiction, is not an expert or the appropriate authority to adjudicate on such disputes, without knowing the technical details relevant in deciding the matter.

As such, WPA No.19160 of 2021 is dismissed as not maintainable. However, liberty is granted to the petitioner to approach the concerned GRO for raising the same disputes as done in the present writ petition.

If so approached, the GRO will decide on the same independently in accordance with law without being influenced in any manner by any of the observations made herein.

It is expected that the GRO will decide the disputes, upon hearing the interested parties at the earliest, preferably within three weeks from the date on which the disputes are raised before the GRO by the petitioner.

The parties shall act on the written communication of the learned Advocates for the parties, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)