

03
07.04.2021
Ct. No.10
b.das

W.P.A. 19610 of 2018

Indrajit Das
Vs.
WBSEDCL & Ors.

Mr. Srijib Chakraborty
Mr. Sunny Nandyfor the petitioner.

Mr. R. M. Chattopadhyay ...for WBSEDCL.

Heard the parties.

The grievance of the petitioner is directed against the provisional and final assessment order dated 20th February, 2018 passed under Section 126 of the Electricity Act, 2003.

It is submitted on behalf of the petitioner that he had two electricity connections, one domestic and the other commercial and the distribution company has raised bills wrongfully and illegally.

It is further submitted on behalf of the petitioner that notwithstanding his electricity connection having been disconnected bills have been raised by the distribution company.

The respondent distribution company is represented and submits that there is an statutory remedy available which the petitioner has not availed of against the final

assessment order under the Electricity Act, 2003. It is further submitted on behalf of the respondent that this is the case of theft of electricity and the petitioner is guilty of wrongfully using a domestic connection for commercial purposes.

I have considered the submissions made on behalf of the parties. It is an admitted position that a final assessment order dated 20th February, 2018 had been passed in this matter and that petitioner has a statutory remedy available to him.

In view of the statutory bar contained under the provisions of the Electricity Act, 2003, I am of the view that this writ petition is not maintainable. There are no exceptional grounds made out for entertaining this writ petition.

With the aforesaid directions, WPA 19610 of 2018 stands dismissed.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ravi Krishan Kapur, J.)