

08.02.2021
Sl. No.10
PP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10739 of 2020

Jahiruddin Dafadar
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Allen Felix

....for the petitioner.

Ms. Mitali Bhattacharya

....for WBSEDCL.

The petitioner is enjoying an electric connection from West Bengal State Electricity Distribution Company Limited (in short WBSEDCL) under consumer ID No.512019889. WBSEDCL had raised a bill for Rs.23,783/- for the period from February, 2020 to September, 2020. The petitioner by an advocate's notice dated 29th September, 2020 requested the Station Manager, Burdwan-1 Customer Care Centre, WBSEDCL (respondent no.4) to reschedule the bill amount in order to allow the petitioner to pay such sum by 12 easy instalment without prejudice to the petitioner's rights. A further notice was served on the same line on 13th November, 2020. The petitioner, alleging inaction on the part of the respondent authorities in considering the petitioner's representations, has filed the instant writ petition. The petitioner says that the bills raised subsequent to

September, 2020 has also not been accepted by WBSEDCL as it wanted the entire payment of the arrear amount.

On behalf of WBSEDCL, it is submitted that there is no provision for granting any instalment. The petitioner had to pay the entire amount that had accrued up to September, 2020. The subsequent bills are raised by including therein the previous dues and as such the bill after September, 2020 could not be accepted discretely. However, the petitioner's case for instalment may be considered if any direction is passed by this Court.

Considering the fact that there is no dispute as to the bill amount and that the petitioner is only asking for some instalments, the representations made by the petitioner may be considered in a justice oriented approach by the respondent no.4.

The respondent no.4 shall dispose of the petitioner's representations dated 29th September, 2020 and 13th November, 2020 within a period of six weeks from date. The decision of the respondent no.4 in this regard shall be final and binding upon the parties.

The petitioner shall be bound to pay the amount in the mode as may be directed by the respondent no.4, failing which WBSEDCL shall be free to take such

steps as permissible in law for realisation of the arrear sum.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

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

(Arindam Mukherjee, J.)