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10.02.2021
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10959 of 2020

Biswajit Jana
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. K. C. Das,
Mr. Sk. Sahjahan Ali
... For the petitioner.

Mr. R. M. Chattopadhyay
... For WBSEDCL.

Affidavit of service filed in Court is taken on
record.

The petitioner's electricity connection was disconnected on alleged detection of theft, on 5th November, 2020. A provisional bill was raised on the petitioner followed by a final order of assessment dated 18th November, 2020. Under the final order of assessment, the petitioner has been asked to pay a sum of Rs.2,41,604/-. A criminal proceedings was also initiated on the basis of the complaint made by the West Bengal State Electricity Distribution Company Limited (in short, WBSEDCL) under the provisions of section 135 of the Electricity Act, 2003 (hereinafter referred to as the said Act). The petitioner has obtained bail by paying a sum of Rs.1,21,000/-. The petitioner has also preferred an appeal as against the final order of assessment dated 18th November,

2020. The said appeal is pending.

The petitioner is seeking reconnection of the electric supply. Since the petitioner has already paid a sum of Rs.1,21,000/- out of Rs.2,41,604/- and have also preferred an appeal as against the final order of assessment dated 18th November, 2020, the petitioner's electric supply be reconnected upon the petitioner paying a further sum of Rs.20,000/-. WBSEDCL, shall within 48 hours from the date of payment made by the petitioner of the sum of Rs.20,000/- as directed by this order, reconnect the petitioner's supply. The money already paid by the petitioner and that may be paid in terms of this order, shall be taken into consideration by the Appellate Authority while disposing of the appeal that has been filed by the petitioner.

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

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

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

(Arindam Mukherjee, J.)

