

AD. 27.
February 16, 2022.
MNS.

(Through Video Conference)

WPA No. 1012 of 2022

Pranay Jana
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Partha Ghosh,
Mr. Amal Kumar Datta

...for the petitioner.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

Learned counsel for the petitioner argues that the concerned Regional Grievance Redressal Officer (RGRO), without giving any opportunity of hearing to the petitioner, decided the dispute referred by the petitioner in respect of the billing of electricity charges.

It is further submitted that this Court may, under the jurisdiction vested in it by Article 226 of the Constitution of India, direct the WBSEDCL to consider the matter afresh in the light of the above circumstances.

Learned counsel appearing for the WBSEDCL submits, on instruction, that although initially the petitioner was heard on one occasion, due to communication gap, the petitioner was not informed

about the next date of hearing, when the assessment was ultimately made.

In view of such submission, since there was palpable defect in the procedure of redressal of dispute by the RGRO, which was done behind the back of the petitioner, WPA No. 1012 of 2022 is allowed, thereby setting aside the decision arrived at by the Regional Grievance Redressal Officer (RGRO), Purba Medinipur, Regional Office, WBSSEDCL, in respect of the petitioner's billing dispute and directing the respondent no. 3, that is, the RGRO, to give a fresh opportunity to the petitioner to produce documents on which the petitioner wants to rely and of being heard, upon prior notice to the petitioner in writing, and thereafter to decide the dispute in accordance with law within a reasonable period.

The entire exercise is expected to be completed within five weeks from date. Upon such decision being taken, the same will be communicated to the petitioner by the respondent no. 3.

In view of the circumstances, particularly in view of the fair stand taken by learned counsel for the distribution licensee, the prayer of the petitioner for litigation costs is refused.

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.)