

AD. 25.
February 8, 2022.
MNS.

(Through Video Conference)

WPA No. 1370 of 2022

Ramchandra Dey
Vs.
West Bengal State Electricity Distribution
Company Limited and others

Mr. Malay Bhattacharyya,
Mr. Subhrojyoti Ghosh

...for the petitioner.

Mr. Saurav Chaudhuri

...for the WBSEDCL.

Learned counsel for the petitioner argues that the amount mentioned in the impugned bill, annexed at page 28 (Annexure P-2) of the writ petition, is exorbitant in comparison with the previous last-paid bills of the petitioner for a period when the petitioner used to run a business from the premises-in-question long back, that is, more than two years before.

It is further submitted that the bill itself reflects non-accessibility to the meter, which denudes of credibility the enumeration of exactly 627 units' consumption and the quantum as assessed arbitrarily by the West Bengal State Electricity Distribution

Company Limited (in short 'WBSEDCL'), as reflected from the impugned bill.

However, learned counsel appearing for the WBSEDCL submits that already an intimation has been given to the petitioner as regards the reason for the said calculations.

It is further submitted that the bill can be termed as a 'Door-Locked Bill' in technical parlance, for which a system-generated bill was issued to the petitioner upon the door of the petitioner being found locked. However, learned counsel for the WBSEDC also submits that the WBSEDCL is willing to adjust the excess bill amount, if any, with future bills of the petitioner.

Yet, in view of availability of an equally, if not more, efficacious alternative forum for redressal of such grievance, this Court ought not to interfere with the impugned bill.

Upon hearing learned counsel for the parties, it is apparent that although the petitioner may have certain grounds for challenging the impugned bill, the WBSEDCL did not act palpably without jurisdiction in raising the bill for plausible reasons, irrespective of the veracity of such reasons.

Needless to say, it will be premature for this Court to go into the merits of such allegations and counter-allegations, since the said exercise may

tantamount to usurping the jurisdiction of the appellate authority.

As per the extant Regulations, the Grievance Redressal Officer (GRO) is the appropriate authority for deciding such issues and resolving like disputes.

Accordingly, WPA 1370 of 2022 is disposed of by granting liberty to the petitioner to approach the concerned GRO having jurisdiction within February 15, 2022 challenging the impugned bill annexed at page 28 of the writ petition. If so approached, the GRO shall decide the issue upon hearing all interested parties, including the petitioner and the WBSEDCL in accordance with law without being influenced in any manner by any of the observations made herein, preferably within four weeks from the date of such approach by the petitioner to the GRO.

The WBSEDCL shall desist from cutting off the electric connection of the petitioner till the disposal of the dispute before the GRO.

It is made clear that such restraint order is being passed only for the ends of justice, to save the dispute from being rendered infructuous before it is decided by the appropriate forum, without going into the merits of the respective contentions of the parties, and will not influence the GRO in any manner whatsoever while deciding such dispute.

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.)