

4th April,
2022
(AK)
04

W.P.A 4524 of 2022

Kudrat Hossain
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Mujibar Ali Naskar
Md. Kutubuddin
...for the petitioner.

Mr. P Das
...for WBSEDCL.

Affidavit-of-service filed in court today be kept on record.

Learned counsel for the petitioner argues that the electric line of the petitioner was disconnected in the year 2014.

However, in the bill impugned in the present writ petition, it was erroneously mentioned that the disconnection was effected in 2016.

It is further submitted that the petitioner has already deposited the entire due arrears, but subsequently the impugned bill was raised indicating that there were further outstanding amounts.

On such ground, the petitioner seeks restoration of the electricity connection.

Such contentions are controverted on fact and law by learned counsel appearing for the Distribution Licensee.

In any event, there is no reason why the electricity supply of the petitioner could not have been restored upon repayment of the full arrears on the previous occasion and subsequently disconnected again in 2016.

The court cannot act on conjectures and surmise or draw a negative inference against the distribution licensee without any material basis.

Hence, since in the version of the Distribution Licensee, the petitioner is in default of payment, the petitioner had the option to challenge the said assessment before an appropriate forum as provided in law.

Having not done so, it will be entirely *de hors* the jurisdiction of the writ court to interfere in the present matter.

Accordingly, WPA 4524 of 2022 is dismissed without any order as to costs.

However, this order shall not prevent the Distribution Licensee from restoring the petitioner's electricity connection and acting upon the petitioner's request to repair the wiring, if defective, in the event the petitioner deposits all due arrears and subject to compliance of all formalities by the petitioner in future.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)