

AD. 58.
April 26, 2022.
MNS.

WPA No. 5669 of 2022

Pradip Kumar Neogi and another
Vs.
The State of West Bengal and others

Mr. T. K. Har,
Mr. Somnath Chakraborty

...for the petitioners.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the WBSEDCL.

Mr. Rajarshi Basu,
Mr. Somnath Ghosh

...for the State.

Leave is granted to the Advocate-on-record of the petitioners to amend the caption of the writ petition in so far as the District is concerned during the course of the day.

Learned counsel for the petitioners submits that, upon the petitioners complaining of defect in the electric meter, the same was initially replaced by the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL'). However, thereafter the replaced meter turned out to be defective again, on which an inflated bill was sent to the petitioners. Seeking rectification in that regard, since the meter was subsequently replaced again by the WBSEDCL, the petitioners made a representation before the WBSEDCL on March 7, 2022. However, no steps

have been taken by the WBSEDCL on such representation of the petitioners.

Learned counsel for the WBSEDCL submits that a huge amount is due and payable by the petitioners as arrear charges.

However, such contention is disputed by the petitioners primarily on the ground that lump sum payment has been made by the petitioners and that the amount-in-question has been disputed.

It is not clear from the submission of the parties and/or the materials on record as to whether the alleged arrear of the petitioners pertains to the disputed period when the defective meter was functioning or for a different period.

Be that as it may, since the grievance of the WBSEDCL regarding such alleged dues is beyond the scope of the present writ petition, such issue cannot be considered while disposing of the present writ petition.

In any event, it is open to the WBSEDCL to take steps in accordance with law in that regard. However, in so far as the present grievance of the petitioners is concerned, since evidently the meter-in-question was defective for a period, which has been substantiated by the WBSEDCL by replacing the meter, it is the incumbent duty of the WBSEDCL to look into the petitioners' representation for

rectification of the electric bill-in-question dated February 26, 2022, to the tune of Rs. 42,564/-.

Accordingly, WPA No. 5669 of 2022 is disposed of by directing the WBSEDCL to give the petitioners an opportunity of hearing and thereupon to decide on the petitioners' prayer for rectification of electric bill dated February 26, 2022 to the tune of Rs. 42,564/-, annexed at page 21 (Annexure – P5) of the writ petition, as expeditiously as possible, preferably within four weeks from date and to communicate the decision of the WBSEDCL thereafter to the petitioners, at the earliest.

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.)