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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

(Via video conference)

WPA No. 9183 of 2021

Anath Sarkar

-vs.-

The West Bengal State Electricity  
Distribution Company Limited & Ors.

Md. Kutubuddin

...for the petitioner

Ms. Bandana Basu

...for the WBSEDCL

Learned counsel appearing for the petitioner argues that in the present writ petition, initially an order of restoration of connection was passed by a coordinate Bench of this Court on condition that the petitioner shall deposit Rs.25,000/-. Upon the petitioner having deposited such amount, restoration of connection was given by the Distribution Licensee. In the meantime, the concerned Grievance Redressal Officer was approached but, it is submitted, that the Grievance Redressal Officer is sitting tight over the matter.

Learned counsel appearing for the Distribution Licensee, however, hands up a photocopy of an order passed by the

Grievance Redressal officer, that too in presence of the petitioner himself, where the Regional Grievance Redressal Officer decided on the dispute as long back as on January 19, 2019.

Hence, the present grievance of the petitioner does not hold good ground.

As far as the order of the Grievance Redressal officer is concerned, although the statutory limitation period for filing a challenge against the same before the appropriate authority, that is, the Ombudsman, has expired long back, in view of pendency of the writ petition and keeping in mind the fact that initially an order of reconnection was passed, W.P.A. No. 9183 of 2021 is disposed of by granting liberty to the petitioner to approach the Ombudsman against the order of the Grievance Redressal Officer treating today, that is, the date of disposal of the writ petition, as the starting point of limitation.

If so approached, the said authority shall decide on the dispute independently and in accordance with law upon giving adequate opportunity of hearing to all the interested parties, including the Distribution Licensee

and the petitioner, as expeditiously as possibly without being influenced in any manner whatsoever by any of the observations made herein.

It is further clarified that in the event the petitioner does not want to prefer a challenge against order of the Grievance Redressal Officer, it will be open to the petitioner to deposit the entire due amount including the reconnection charges with the Distribution Licensee in order to get such restoration of electric connection.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)