

AD-05
Ct No.09
28.11.2022
TN

WPA No. 8193 of 2022

Ramisa Bibi
Vs.
The West Bengal State Electricity Distribution
Company Limited and another

Mr. Saurav Chaudhuri

.... for the WBSEDCL

None appears for the petitioner when the matter is called on for hearing.

Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) submits, by placing reliance on the photocopies of documents handed over by the WBSEDCL in court, that two FIRs have been lodged against the petitioner with regard to the concerned electricity meter, on the allegation of theft and pilferage of electricity.

Hence, it is submitted, the WBSEDCL is required to raise a provisional assessment bill and thereafter, upon hearing the consumer, a final assessment bill. In the event the petitioner seeks to challenge such provisional or final orders of assessment, it is submitted that the petitioner has to move before the appropriate forum within the contemplation of Sections 126 and 127 of the

Electricity Act, 2003 (hereinafter referred to as “the 2003 Act”).

There being substance in such contention, WPA No. 8193 of 2022 is disposed of by granting liberty to the petitioner to take appropriate steps under Sections 126 and 127 of the 2003 Act, subject to the WBSEDCL raising provisional and final orders of assessment.

It is made clear that the merits of the contentions of the parties have not been gone into and it will be open to both sides to urge their respective contentions before the appropriate forum.

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.)