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17.05.2022.
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 8460 of 2022

Baidyanath Soren

-vs.-

West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Malay Bhattacharyya,
Ms. Sudipa Sengupta
...for the petitioner

Mr. Sumit Ray
...for the WBSEDCL

Learned counsel appearing for the petitioner submits that, upon a provisional assessment having been made on the allegation of theft in respect of the petitioner's electricity meter, the petitioner specifically gave an objection in writing to such provisional assessment, as annexed at page 14 of the writ petition, and, thereafter, sought several times for giving the petitioner a hearing on the objection and to arrive at a final assessment in respect of the alleged dues and/or to revise the provisional assessment. However, the WBSEDCL has failed to take any step, in the context of such representation of the petitioner, till date.

Learned counsel appearing for the WBSEDCL submits that although counsel does not have specific instruction on the exact status/stage of the assessment,

in view of a representation having been made by the petitioners, as annexed at page 16 of the writ petition, the WBSEDCL may be directed to consider such representation in accordance with law and to take a decision thereon in writing.

Upon hearing learned counsel for the parties, it is evident that the petitioner has given several representations on the above score to the WBSEDCL. However, since the WBSEDCL is yet to take any decision thereon, this Court cannot prejudge the merits of the respective contentions of the parties in that regard prior to the WBSEDCL arrive at any conclusion in that regard.

Accordingly, W.P.A. No. 8460 of 2022 is disposed of by directing the respondents-authorities to pass a written order, upon taking a decision on the representation of the petitioner, as annexed at page 16 of the writ petition, at the earliest, upon giving adequate opportunity of representation to the petitioner and other interested parties, if any, as expeditiously as possible, preferably within three weeks from date.

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.)