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20.06.2022.
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 9863 of 2022

Md. Aklim alias Aklim

-vs.-

The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Narendra Nath Malakar

...for the petitioner

Dr. Madhusudan Saha Roy

...for the WBSEDCL

Learned counsel appearing for the petitioner contends that exorbitant final assessment has been made on the allegation of pilferage in respect of the petitioner's electricity meter, consequent to which the electricity supply has been disconnected.

Learned counsel appearing for the WBSEDCL argues that the petitioner has already received the intimation in respect of the final assessment dues much earlier but has not taken recourse to an appeal under Section 127 of the Electricity Act, 2003.

As such, it is submitted that no relief, as sought in the present writ petition, ought to be granted in favour of the petitioner.

In view of the submissions made by the parties, W.P.A. No. 9863 of 2022 is disposed of by granting liberty to

the petitioner to approach the appellate authority against the final order of assessment by the WBSEDCL.

If so approached, the appellate authority shall consider the same in accordance with law, of course, subject to the law of limitation, upon giving adequate opportunity of hearing to all necessary parties.

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.)