

AD. 35.
June 27, 2022.
MNS.

WPA No. 11740 of 2022

Sri Bidhan Chandra Samanta
Vs.
State of West Bengal and others

Mr. Amlan Jyoti Sengupta

...for the petitioner.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

Learned counsel for the petitioner submits that the petitioner may be given restoration of electricity supply, which was disconnected by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) on the allegation of direct hooking and bypassing meter circuit.

Learned counsel for the WBSEDCL contends that a final order of assessment has been made upon giving opportunity of hearing to the petitioner. As such, in the absence of an appeal against the order of final assessment, there is no scope for directing restoration of electricity connection to the petitioner.

It is further submitted by learned counsel for the WBSEDCL that the bill raised by way of final assessment was commensurate with the usage of electricity by the petitioner, which is, of course, disputed by learned counsel for the petitioner.

Be that as it may, since the impugned order dated June 13, 2022 has been passed by way of final order of assessment, which is appealable under Section 127 of the Electricity Act, 2003, WPA No. 11740 of 2022 is disposed of by granting liberty to the petitioner to approach the appellate authority.

In the event of compliance of all prior formalities by the petitioner, such appeal will be decided on merits by the appellate authority, if so preferred, without being prejudiced in any manner by any of the observations made herein.

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.)