

29th March,
2022
(AK)
05

WPA 15038 of 2021

Kayem Ali Mondal
Vs.
The State of West Bengal and others

Mr. Keshab Chandra Das
...for the petitioner.

Mr. Sujit Sankar Koley
...for WBSEDCL.

Mr. Subhabrata Das
Mr. Sanatan Panja
...for the State.

Learned counsel for the petitioner fairly submits that in view of availability of an equally efficacious alternative remedy in the form of an appeal against the assessment under Section 126 of the Electricity Act, 2003, the petitioner seeks to withdraw the writ petition with liberty to file an appeal against the order of final assessment.

Accordingly, WPA 15038 of 2021 is dismissed as withdrawn, granting liberty to the petitioner to prefer an appeal, if otherwise permitted in law, against the final order of assessment passed by the authorities under Section 126 of the Electricity Act, 2003.

The merits of the respective contentions of the parties in the matter have not been gone into by this court.

The written instruction filed by learned counsel for the petitioner be kept on record.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities

(Sabyasachi Bhattacharyya, J.)