

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 16196 of 2022

Sk. Idrish Ali & Ors.
Vs.
CESC Limited & Ors.

With

W.P.A. No. 16198 of 2022

Kaiser Nasim Ansari & Ors.
Vs.
CESC Limited & Ors.

Mr. Om Narayan Rai,
Ms. Sumouli Sarkar
...for the CESC Limited

Ms. Shraboni Sarkar,
Ms. Debapriya Chatterjee
...for the State in
WPA 16196 of 2022

Mr. Arun Kumar Ray,
Mr. Arun Kumar Saha
...for the State in
WPA 16198 of 2022

None appears for the petitioners in either of the two writ petitions when the matter is called on for hearing, although the CESC Limited and the State of West Bengal are represented through counsel.

It is submitted by learned counsel appearing for the Distribution Licensee that the petitioners explored all options by preferring an appeal against the final order of assessment subsequently raised but did not

deposit the statutory amount of fifty per cent of the dues, as stipulated in Section 127 of the Electricity Act, 2003.

It is submitted that the present writ petitions, at the present juncture, have become infructuous since the petitioners have, in the meantime, filed an affidavit before the CESC Limited undertaking to pay the amount due in terms of the assessment made by the CESC Limited.

In any event, since the petitioners are not represented, the merits of the matters cannot be gone into by this Court.

Hence, due to non-appearance of the petitioners in either of the two matters, W.P.A. No. 16196 of 2022 and W.P.A. No. 16198 of 2022 are dismissed for default, without, however, any order as to costs.

Copies of the affidavit filed before the CESC Limited and the bill showing part payment by the petitioners, handed over by learned counsel for the CESC Limited, be kept on record.

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.)