

S/L. 36.
September 5, 2022.
MNS.

WPA No.16280 of 2022

Gourhari Das
Vs.
State of West Bengal and others

Mr. Debasis Sur,
Mr. Hare Krishna Halder,
Mr. Anshuman Patra

... for the petitioner.

Affidavit-of-service filed in Court today be
kept on record.

Despite service, none appears for the
respondents.

Leave is granted to the learned Advocate
for the petitioner to rectify the cause title of the
affidavit-of-service here and now and to file the
same in Court today.

The present writ petition has been filed
challenging a provisional order of assessment on
the allegation of pilferage of electricity.

Since the law provides that the consumer
has to challenge the assessment before the
assessing forum, alternatively challenge the
consequential final order before the appellate
authority under Section 127 of the Electricity Act,

2003, WPA No. 16280 of 2022 is disposed of by granting leave to the petitioner to approach the concerned authority having jurisdiction in law to resolve the dispute as raised in the present writ petition.

If so approached, the said authority (or appellate appellate authority, as the case may be) shall decide the same upon giving an opportunity of hearing to all concerned as expeditiously as possible and in accordance with law, preferably within four weeks from the challenge being made.

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.)