

6th September,
2022
(AK)
04

W.P.A 16514 of 2022

Mafijur Rahaman Shekh
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Biswajit De
Ms. Mousumi Arji

...for the petitioner.

Mr. Debjit Mukherjee

...for the WBSEDCL.

Learned counsel for the petitioner contends that the petitioner, being the heir and legal representative of the erstwhile consumer of electricity, that is, Harun Sk. (since deceased), gave a representation to the Distribution Licensee for having a transfer of his name in place of his father in respect of the meter.

Upon the same not being considered, the petitioner moved the concerned Regional Grievance Redressal Officer (RGRO), who refused to interfere on the ground that the petitioner was not the actual consumer.

The same order was affirmed by the Ombudsman when the petitioner challenged the RGRO order before the said authority.

It is submitted that the petitioner is otherwise entitled to have the said transfer in his name, in view of the demise of his predecessor-in-interest/father.

Learned counsel appearing for the Distribution Licensee submits that the deceased father of the petitioner had left substantial dues in respect of the electricity meter-in-question. As such, prior to the transfer taking place, the petitioner has to clear off the outstanding dues.

At this, learned counsel for the petitioner replies that the meter itself is defective, for which the meter readings were not correct. However, such dispute could not be raised by the petitioner since the petitioner is not yet a consumer in respect of the same.

Be that as it may, since the petitioner, under the law, has to apply in proper format seeking transfer of name, WPA 16514 of 2022 is disposed of by granting liberty to the petitioner to apply in proper form before the WBSEDCL for transfer of the petitioner's name in place of his father's name in respect of the meter previously enjoyed by his father before his demise.

If such an application is made, the WBSEDCL shall raise a quotation indicating the actual amount payable by the petitioner.

Upon such quotation being raised, in the event the petitioner is aggrieved with the said quantum, it will be open to the petitioner to challenge such quantum before an appropriate forum.

However, if the petitioner concedes to the said payment, the petitioner shall comply with all formalities,

including payment, upon which the WBSEDCL shall carry out the transfer of the petitioner's name in place of his father with regard to the electricity meter-in-question.

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.)