

12th August,
2022
(AK)
05

W.P.A 17241 of 2022

Sahana Ferdusi
Vs.
West Bengal State Electricity Distribution Company
Limited and others

Mr. Sk. Moinuddin

...for the petitioner.

Mr. Sumit Ray

...for the WBSEDCL.

An extremely fair stand has been taken by learned counsel for the WBSEDCL. It is submitted on instruction that on humanitarian concerns, particularly since the daughter of the petitioner is studying in class IX and her studies are suffering due to lack of electricity, the WBSEDCL is agreeable to restore the electricity supply, subject to all the subsequent installments being paid.

However, learned counsel for the WBSEDCL points out that two other criminal complaints lodged against the husband of the petitioner are still pending and the WBSEDCL intends to proceed with such prosecutions.

Hence, in view of the above development, WPA 17241 of 2022 is disposed of by directing the WBSEDCL to reconnect the electricity of the petitioner within a week from date, of course, subject to the rest of the installments as agreed between the parties being paid in due time.

In default of payment of even one instalment, the electricity may be disconnected at the discretion of the WBSEDCL immediately thereafter.

It is, however, made clear that the merits of the contentions of the parties in any of the pending cases have not been gone into by this court in any manner whatsoever and it will be open to all legal forums and courts to decide the issues pending between the parties before them independently, without being influenced by any of the observations made herein, and in accordance with law.

It is further clarified that this order was a gesture of humanity by the WBSEDCL and shall not operate as a precedent in any future litigation between the parties or otherwise.

The allegations made in the writ petition are deemed not admitted by the WBSEDCL, since no affidavits have been invited by the court.

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.)