

D/L. 33.
November 23, 2022.
MNS.

WPA No. 19839 of 2022

Chittaranjan Pattanayak
Vs.
The West Bengal State Electricity
Distribution Company Limited and another

Mr. Sajal Kumar Ghosh,
Ms. Dipa Bhattacharya

... for the petitioner.

Mr. Debjit Mukherjee

...for the WBSEDCL.

Affidavit-in-reply filed in Court today be kept
on record.

Learned counsel for the petitioner contends
that despite having admitted in paragraph- 7 of the
affidavit-in-opposition that on instruction it was found
that the previous electricity meter of the petitioner
was defective and the same was replaced by a new
meter, the Distribution Licensee, that is, the West
Bengal State Electricity Distribution Company
Limited (WBSEDCL) deducted merely 2000 units
and regenerated the bill.

Learned counsel submits that there does not
appear any reasonable basis of such calculation,
particularly since there is no reflection in such

assessment as regards the period of time during which the meter remained defective.

However, the ultimate dispute taken out in the present writ petition cannot be decided apart from on a factual assessment of the actual happenings. Since the law provides the Grievance Redressal Officer (GRO) concerned to be the appropriate authority for ventilating billing disputes, it is not proper for the writ court to enter into the factual enquiry upon appreciating evidence in the matter.

Hence, WPA No. 19839 of 2022 is disposed of by granting liberty to the petitioner to raise the dispute made in the present writ petition before the concerned GRO. In view of pendency of the writ petition for some time, it is deemed that the time taken during the pendency of the writ petition shall be deducted from the time for filing such complaint by the petitioner before the concerned GRO for the purpose of limitation, if applicable.

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.)