

AD-12
Ct No.09
17.11.2022
TN

WPA No. 22955 of 2022

Gour Mal
Vs.
State of West Bengal and others

Md. Yusuf Ali	 for the petitioner
Mr. Syed Nasirul Hossain	 for the State
Mr. Sujit Sankar Koley	 for the WBSEDCL

The report filed by learned counsel for the State
be kept on record.

The grievance of the petitioner, as ventilated by
learned counsel for the petitioner, is that the West
Bengal State Electricity Distribution Company Limited
(WBSEDCL) has raised a provisional assessment bill
against the petitioner on the allegation of pilferage of
electricity. However, no final order of assessment has
yet been passed within the contemplation of
Section 126 of the Electricity Act, 2003.

Since it is the stand of the WBSEDCL that
intimation has already been issued to the petitioner
for the purpose of hearing the petitioner, the purpose
of justice would be sub-served in the event the
WBSEDCL decides on the final order of assessment

upon giving an opportunity of hearing to the petitioner as expeditiously as possible.

Accordingly, WPA No. 22955 of 2022 is disposed of by directing the WBSEDCL to give an opportunity of hearing to the petitioner and to decide on the final order of assessment in accordance with law upon giving such hearing, as expeditiously as possible, positively within three weeks from date.

It is made clear that the merits of the allegations and counter-allegations have not been gone into by this court.

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.)