

D/L. 28.  
November 15, 2022.  
MNS.

WPA No. 23305 of 2022

Arvind Kumar Gupta and another  
Vs.  
CESC Limited and others

Mr. Bidyut Kumar Halder,  
Mr. Indranil Halder

... for the petitioners.

Mr. Suman Ghosh

...for the CESC Limited.

The grievance of the petitioners is that despite having preferred an appeal under Section 127 of the Electricity Act, 2003 (2003 Act) and deposited the statutory amount of 50% of the claim, such appeal has not yet been decided by the appellate authority.

Learned counsel for the CESC Limited submits that initially the appeal was preferred before a wrong forum, which has been subsequently rectified.

Since it is an admitted position that the appeal at the behest of the petitioners is pending before the appellate authority at present, the ends of justice would be sub-served, more so since the

petitioners are without electricity, if the appeal is decided expeditiously.

Accordingly, WPA No. 23305 of 2022 is disposed of by directing the appellate authority under Section 127 of the 2003 Act to decide the appeal filed by the writ petitioners against the final order of assessment dated September 14, 2022 as expeditiously as possible, preferably within four weeks from date.

It is, however, made clear that the merits of the contentions of the parties in the said appeal have not been touched in the present writ petition.

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.)