

AD-16
Ct No.09
28.11.2022
TN

WPA No. 25946 of 2022

Swapna Banerjee
Vs.
CESC Limited and another

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder

.... for the petitioner

Mr. Suman Ghosh

.... for the CESC Limited

Learned counsel for the petitioner contends that the CESC Limited has sent two successive bills, one for the amount of Rs.31,760/- and the other for net amount payable Rs.42,140/-, which is exorbitant in the contention of the petitioner.

Learned counsel appearing for the CESC Limited rebuts such contention and submits that the bills included outstanding arrears as well, and were raised within the contemplation of law.

Moreover, learned counsel for the CESC Limited argues that Clause 3.5.1 of the relevant Regulation, that is, Regulation no. 55/WBERC dated August 07, 2013 provides that a billing dispute has to be raised before the concerned Grievance Redressal Officer (GRO).

There is substance in the contention of the CESC Limited with regard to the jurisdiction lying with the GRO.

Hence, WPA No. 25946 of 2022 is disposed of by granting liberty to the petitioner to lodge a complaint before the concerned GRO on the billing dispute as raised in the present writ petition. If so approached, the GRO shall give opportunity of hearing to all concerned and decide the issue in accordance with law as expeditiously as possible, preferably within six weeks from the date of lodging of the complaint.

However, it is made clear that the merits of the respective contentions of the parties have not been entered into by this court and it will be open to both the parties to raise all questions before the GRO.

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.)