

D/L. 19.
December 14, 2022.
MNS.

WPA No. 26882 of 2022

Tarun Kumar Malik
Vs.
State of West Bengal and others

Mr. Sarbananda Sanyal

... for the petitioner.

Dr. Madhusudan Saha Roy

...for the WBSSEDCL.

Affidavit-of-service filed in Court today be
kept on record.

The present challenge has been preferred
against a decision of the appellate authority under
Section 127 of the Electricity Act, 2003 (2003
Act), whereby the petitioner's challenge to a final
order of assessment was turned down.

Upon hearing learned counsel for the
parties, it transpires that the final order of
assessment dated March 3, 2020, clearly records
that the accused/petitioner had accepted the
crime and promised not to commit such crime in
future and also stated that he is the sole earning
member of his family and has no alternative
source of income, for which reduction was
apparently requested by the petitioner.

Upon such consideration, the amount was actually reduced. As such, there is no scope of challenging the order of the appellate authority before the writ court.

WPA No. 26882 of 2022 is, accordingly, dismissed.

However, the petitioner will be at liberty to approach the concerned Assessing Officer of the WBSEDCL asking for installments to deposit the outstanding dues and for prior restoration of electricity connection pursuant to payment of one or some of the installments.

If so approached, the said Assessing Officer shall decide the issue sympathetically, keeping in mind the financial status of the petitioner, but in accordance with law.

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.)