

13th February,
2023
(AK)
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W.P.A 2470 of 2023

Seikh Nejamuddin @ Nizamuddin Sk
Vs.
State of West Bengal and others

Mr. Ayan Kumar Boral
Mr. Anisur Rahaman
...for the petitioner.

Mr. Debjit Mukherjee
...for the WBSEDCL.

Ms. Sutapa Sanyal
Ms. Susnita Saha
...for the State.

Learned counsel for the petitioner contends that the electricity connection of the petitioner is not being restored, despite the petitioner having cleared the dues in respect of alleged unauthorized use of electricity.

Learned counsel appearing for the WBSEDCL points out that even admittedly as per the writ petition, a sum of Rs.5,71,082/- was demanded by the WBSEDCL from the petitioner as outstanding dues.

As such, in the event the petitioner has any dispute with regard to such claim of the WBSEDCL, it is for the petitioner to move the appropriate forum challenging such assessment.

Since it is submitted by the WBSEDCL that a final order of assessment has already been passed, the option before the petitioner is to prefer an appeal, if not

otherwise barred by limitation, against the said final order of assessment.

Accordingly, WPA 2470 of 2023 is disposed of by granting liberty to the petitioner to challenge the claim of the WBSEDCL on the allegation of unauthorized use of electricity before the appropriate forum.

Learned counsel for the State, apart from reiterating the above submissions of the WBSEDCL, contends that a criminal case is also pending in connection with the alleged theft.

A written statement of facts filed by learned counsel for the WBSEDCL today be kept on record.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)