

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 2890 of 2023

Samsuzzaman Mondal
Vs.
The State of West Bengal & Ors.

Mr. Ayan Kumar Boral,
Mr. Anisur Rahman,
... for the petitioner

Mr. Swapan Kumar Pal
...for the State

Mr. Srijan Nayak,
Ms. Rituparna Maitra
...for the WBSEDCL

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

Learned counsel appearing for the petitioner contends that the petitioner has already deposited fifty per cent of the amount claimed by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) by way of final order of assessment on the allegation of unauthorized use of electricity.

Learned counsel appearing for the WBSEDCL submits that as per law, unless the entire amount is deposited, such restoration of electricity connection cannot be given.

It transpires from the submissions of parties that only fifty per cent of the final assessment bill was paid

by the petitioner, whereas no challenge was preferred under Section 127 of the Electricity Act, 2003 against such final order of assessment till date.

Since the said final order of assessment was passed long back, there is limited scope of interference in the present writ petition.

However, it is made clear that in the event the petitioner deposits the entire amount, as required by law, with the WBSEDCL, the WBSEDCL shall restore the electricity supply of the petitioner.

Accordingly, W.P.A. No. 2890 of 2023 is dismissed on contest.

The petitioner is at liberty to deposit the entire amount claimed, as contemplated in law, for the purpose of getting restoration of electricity supply, including the balance dues and ancillary charges, as required by law.

If such amount is deposited by the petitioner, the WBSEDCL shall, as expeditiously as possible thereafter, restore the electricity supply of the petitioner.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)