

22nd February,
2023
(AK)
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W.P.A 2930 of 2023

Jorge Rahim Mondal

Vs.

The West Bengal State Electricity Distribution Company
Limited and others

Mr. Sk. Abdus Salam
Mr. Gautam Misra
Mr. Subrata Mukherjee
Mr. B. Pal

...for the petitioner.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

Learned counsel for the petitioner contends that the WBSEDCL has raised bills for alleged outstanding amounts for a considerable period only recently, although no meter had been installed for giving such connection to the petitioner during the relevant period.

In the year 2017, a dispute was raised by the petitioner but the bill has been sent in the year 2022.

It is submitted that the exorbitant bill sent to the petitioner has no basis whatsoever and the WBSEDCL be directed to install a meter for the petitioner.

Learned counsel appearing for the WBSEDCL disputes such contention and submits that the outstanding amount was being continuously showed in the bills raised during the relevant period.

Hence, the question of the time-bar under Section 56(2) of the Electricity Act, 2003 does not apply.

That apart, the petitioner now wants a meter to be installed without having paid for the electricity enjoyed for so long.

The matter primarily boils down to a billing dispute.

Even the incidental questions as to whether the petitioner has actually been enjoying electricity connection during the relevant period and/or whether Section 56(2) of the 2003 Act operates as a bar in view of the outstanding bills having been raised for the first time after the statutory limitation period, are only to be decided by the concerned Grievance Redressal Officer (GRO) along with the main billing dispute.

In such view of the matter, WPA 2930 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned GRO with the relief as sought in the present writ petition.

If so approached, the GRO shall, upon giving hearing to all concerned and in accordance with law, decide the issue as expeditiously as possible, positively by March 22, 2023.

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.)