

D/L. 15.
April 26, 2023.
MNS.

WPA No. 4761 of 2022

Ghanashyam Kunar
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Mr. Pradip Paul,
Mr. Gourab Ghosh

...for the petitioner.

Mr. Srijan Nayak,
Mr. Mihir Kundu

...for the WBSEDCL.

Learned counsel for the petitioner contends that the petitioner is a 77 year-old cultivator, in whose name the alleged defaulting meter is standing at the premises-in-question. Allegations of pilferage have been levelled against the petitioner's son and the connection has been severed by the West Bengal State Electricity Distribution Company Limited (WBSEDCL).

It is submitted that the petitioner be permitted to get restoration of electricity connection upon easy installments being given for payment of the assessed charges.

The scope of Sections 126 and 127 read with Section 135(1A) of the Electricity Act, 2003 (in short “2003 Act”) is very restrictive.

Hence, the Court does not have any jurisdiction as such to prolong the time for depositing the alleged sum for the purpose of reconnection. However, keeping in view the advanced age of the petitioner and the predicament that he is suffering as a cultivator, it is expected that the WBSEDCL, if approached by the petitioner, shall consider the case with sympathy and grant some installments to the petitioner to pay the entire assessed amount, if possible.

Accordingly, WPA No. 4761 of 2022 is disposed of in the light of the above discussions by granting liberty to the petitioner to approach the WBSEDCL with prayer for installments. If so approached, the WBSEDCL shall decide such approach sympathetically, keeping in view the peculiar circumstances of the instant case, without creating a precedent in that regard.

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.)