

29th March,
2023
(AK)
16

W.P.A 7405 of 2023

Sri Nirmal Kumar Datta
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Bharat Chandra Simai
Mrs. Sanchayita Das

...for the petitioner.

Ms. Suvasree Ghose

...for the WBSEDCL.

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

The petitioner contends that by a previous order dated February 22, 2023 passed in WPA 2048 of 2023, it was directed, inter-alia, that the WBSEDCL shall refer the dispute regarding the petitioner's electricity connection to the concerned Electrical Inspector for ascertaining the condition of the meter and whether it was defective or not.

Such reference was to be made within a week from that date.

It is, however, contended that despite such specific direction, no assessment has yet taken place before the Electrical Inspector.

However, the WBSEDCL has issued a disconnection notice in the meantime, thereby going against the letter and spirit of such order.

Learned counsel appearing for the WBSEDCL submits that the WBSEDCL has already referred the matter to the Electrical Inspector.

Moreover, it is submitted that the WBSEDCL does not intend to disconnect the electricity supply immediately, prior to a decision being arrived at by the Electrical Inspector.

In such view of the matter, WPA 7405 of 2023 is disposed of by directing the WBSEDCL to expedite the examination and assessment of the matter before the Electrical Inspector as per the direction dated February 22, 2023.

It is made clear that until and unless a decision is taken by the Electrical Inspector on the said issue upon conducting necessary examination of the concerned meter and, if necessary, upon giving opportunity of hearing to all concerned, the WBSEDCL shall not act on any disconnection notice or issue any further disconnection notice to the petitioner and/or disconnect the petitioner's electricity supply.

It is, however, made clear that the petitioner shall deposit the dues as raised by the WBSEDCL as per the direction dated February 22, 2023, within a fortnight from date.

In the event the petitioner fails to deposit such amount as directed vide order dated February 22, 2023, the WBSEDCL will be at liberty to disconnect the

electricity supply of the petitioner on the ground of such default.

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.)