

18th May,
2023
(AK)
08

W.P.A 11799 of 2023

Narayan Chandra Ghosh
Vs.
State of West Bengal and others

Mr. Nandadulal Bandyopadhyay
Mr. Pritam Ghosh
...for the petitioner.

Mr. Amitabh Shukla
Mr. Prakash Ch. Pandey
...for the WBSEDCL.

Learned counsel for the petitioner submits that this is the third round of the instant litigation. After the prior two rounds of litigation and orders being passed by the writ court, lastly the WBSEDCL has raised a quotation, pursuant to which the petitioner has already cleared the outstanding dues and paid the charges for taking electricity connection.

However, when the petitioner subsequently applied for getting a transformer for the purpose of such supply, the WBSEDCL further raised exorbitant charges.

Upon a request of the petitioner to reconsider the same, the charges were reduced to Rs, 4,81,980/-.

It is argued that the petitioner, after payment of the entire arrear dues, is not in a position to bear the astronomical amount as charged. As such, it is submitted that the amount may be reconsidered and reduced.

Learned counsel appearing for the WBSEDCL submits that upon the request of the petitioner, there was

already a reconsideration and the amount levied for installation of the transformer is the amount actually required for such installation.

Upon hearing learned counsel for the parties, it is evident that the parties complied with the previous orders of court.

In fact, all other dues have been cleared by the petitioner, but for the charges required for installing the transformer.

It also transpires that the WBSEDCL conceded to the request of the petitioner for reconsideration and reduced the charges for installation of transformer.

However, since the WBSEDCL is a public authority, in charge of supply of electricity to the public at large and dealing with public revenue, a further reconsideration at the behest of an individual, against the interest of the public, cannot be directed within the limited scope of the writ petition.

In any event, the Regulations provide that if subsequently the said transformer is used for giving electricity connection to a third party, in that event the petitioner would be entitled to have a refund on pro-data basis.

However, at the present juncture, since the WBSEDCL has assessed the transformer charges in accordance with law, there is no scope of interference with the said decision of the WBSEDCL.

Accordingly, WPA 11799 of 2023 is dismissed on contest without any 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.)