

29th March,
2022
(AK)
01

W.P.A 18006 of 2021

Saugata Jana and another
Vs.
The West Bengal State Electricity Distribution Company
Ltd. and others

Mr. Bhaskar Chandra Manna
...for the petitioners.

Mr. Sumit Ray
...for the WBSEDCL.

Learned counsel for the petitioner submits that the petitioners' father (since deceased) had applied for a new electricity service connection and had deposited the quotation amount as raised by the WBSEDCL. However, such connection was not given.

Subsequently, an allegation of direct hooking was levelled against the petitioners' father, upon which a provisional assessment and, thereafter, a final order of assessment were passed.

Although a writ petition was preferred against such final order, the same was dismissed for default.

At present, the petitioner, being the son of the accused person in the said allegation of direct hooking, has made a representation to the WBSEDCL to act on the said application of his deceased father.

Learned counsel appearing for the WBSEDCL submits that since the final order of assessment attained finality in the absence of any successful challenge against

the same, the petitioners have to pay all outstanding dues in order to get a service connection at the premises.

Moreover, it is contended that the petitioners have only given a representation, as annexed to the writ petition, but has not yet filed any proper application in appropriate format.

Upon hearing learned counsel, it is clear that the final order of assessment made against the petitioners' father (since deceased) regarding the same premises has attained finality, since the writ petition preferred against the same was admittedly dismissed for default and never revived.

Moreover, as rightly submitted by the WBSEDCL, unless the petitioners filed a proper application in appropriate format, there would not be any occasion for the WBSEDCL to give a new connection to the petitioners.

In such view of the matter, WPA 18006 of 2021 is disposed of by granting liberty to the petitioners to apply afresh for a new service connection at the premises-in-question.

If so applied, the WBSEDCL will raise a proper quotation, indicating also the outstanding dues payable by the petitioners with regard to the premises.

Upon compliance of formalities by the petitioners, including the payment of such outstanding dues and other requisites, the WBSEDCL shall give a new electricity

service connection to the petitioners in accordance with law.

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.)