

D/L. 11.
January 6, 2023.
MNS.

WPA No. 22778 of 2022

Bishnu Pada Mandal
Vs.
West Bengal State Electricity Distribution
Company Limited and others

Mr. Meghnad Dutta,
Mr. Abhishek Shaw

... for the petitioner.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the WBSEDCL.

Learned counsel for the petitioner contends that the petitioner was sought to be overcharged by the West Bengal State Electricity Distribution Company Limited (WBSEDCL).

The matter initially went up to the Ombudsman and the petitioner was directed to pay an amount, which the petitioner paid subsequently. It is submitted that, however, the amount alleged to be due now from the petitioner is an exorbitant amount, which does not have any nexus with the actual consumption made by the petitioner.

Upon query of court, learned counsel appearing for the WBSEDCL has produced a purported break-up of the charges levied on the petitioner, for non-payment of which the electricity

supply of the petitioner was disconnected. The said written break-up be kept on the record.

However, since a dispute has been raised as to the mathematical calculation and the actual consumption of the petitioner, the appropriate forum for deciding the fresh billing dispute is the concerned Grievance Redressal Officer (GRO) and not the writ court. This court has no intention to usurp the jurisdiction of the said forum, thereby depriving the parties of two forums of challenge.

WPA No. 22778 of 2022 is, thus, disposed of by granting liberty to the petitioner to approach the concerned GRO with the billing dispute as raised in the present writ petition.

If so approached, the GRO shall decide the same as expeditiously as possible, upon giving an opportunity of hearing to all parties in accordance with law, positively within six weeks from the date of such reference being made by the GRO.

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.)