

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 4295 of 2022

**Uttam Kumar Saha
Vs.
The State of West Bengal**

Mr. Subrata Karmakar
..for the petitioner

Item No. 16

Heard & Judgment on: 14.03.2023

Bibek Chaudhuri, J.

In the instant revision the petitioner has challenged an order dated 4th July, 2022 passed by the learned Additional Sessions Judge-cum- Judge Special Court (Indian Electricity Act) Murshidabad at Berhampore in connection with IE Case No.471/2016 under Section 135(i)(a) of the IE Act.

It appears from the certified copy of the case pending before the trial Court that the learned trial Judge insisted for money receipt

showing payment of arrear bill before further proceeding with the trial of the case.

It is submitted by the learned advocate for the petitioner that the petitioner is not the consumer. The recorded consumer in respect of the concerned electric connection is his wife. It is contended on behalf of the petitioner that there is huge discrepancy with regard to the consumption of electricity and demand made by the WBSEDCL. It is also submitted that the petitioner has already moved the Appellate Authority under Indian Electricity Act for determination of arrear bill against the order of the Assessing Officer. Therefore, he is not in a position to produce the money receipt showing payment of arrear bill before the trial Court.

Having heard the learned advocate for the petitioner and on perusal of the entire materials on record, the instant revision is disposed of adjourning IE Case No.471/2016 sine die till final decision of the Appellate Authority regarding arrear bill to be paid by the petitioner and payment of such arrear by the petitioner.

(Bibek Chaudhuri, J.)