

D/L. 29.
December 7, 2023.
MNS.

WPA No. 25365 of 2023

Ashis Kumar Mondal and others
Vs.
The State of West Bengal and others

Mr. N. I. Khan,
Mr. Amlan Kumar Mukherjee

...for the petitioners.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

1. Affidavit-of-service filed in court today be kept on record.
2. There are two components of challenge in the present writ petition.
3. First, the enhancement of tariff with regard to electricity in the petitioners' locality has been impugned.
4. Secondly, it is alleged that the petitioners work small husking machines and other small machines and the said machines are not operational for a large part of the year. However, exorbitant bills have been raised by the West Bengal State Electricity Distribution Company Limited (WBSEDCL).

5. Learned counsel for the WBSEDCL contends that the arguments now sought to be made are beyond the scope of relief sought in the writ petition.
6. It transpires from a perusal of the writ petition that the petitioners have primarily challenged the tariff. However, there is nothing palpable on the face of the records to indicate that the fixation of such tariff by the West Bengal Electricity Regulatory Commission, which is the expert body in the field, suffers from any palpable irregularity or illegality whatsoever, requiring intervention under Article 226 of the Constitution.
7. In any event, if the petitioners are aggrieved by the tariff fixation, it is open for the said petitioners to approach the concerned appellate authority challenging the said tariff order.
8. Insofar as the other challenge is concerned, the same does not find place in the writ petition.
9. However, in the event, the petitioners have any grievance regarding the bills being sent to the petitioners on the ground that the machines of the petitioners are not operational

for a large part of the year or otherwise, it would be appropriate for the petitioners to approach the concerned Grievance Redressal Officer (GRO) with such billing dispute.

10.If such challenges are made before the concerned authorities, those will be decided by the concerned authorities without being influenced in any manner by any of the observations made herein.

11.WPA No. 25365 of 2023 is disposed of in the light of the above observations.

12. There will be no order as to costs.

13. 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.)

