

3rd March,
2023
(AK)
03-04

C.P.A.N 1273 of 2022
With
WPA 1113 of 2022

Prithiraj Ghosh
Vs.
Laltu Mondal and another

Mr. Biswajit De

...for the
petitioner/applicant.

Mr. Srijan Nayak

Mrs. Rituparna Maitra

...for the alleged contemnors/WBSEDCL.

Both the alleged contemnors are present in court today as per the previous direction of court.

It transpires from the new bill generated by the WBSEDCL, which has been handed over for perusal to court by learned counsel for the petitioner, indicates that the WBSEDCL has now rectified the error which was being repeated time and again in contravention of the initial order passed by this court, by omitting the outstanding dues for the relevant period during which the petitioner's meters were defective.

Although learned counsel for the petitioner submits that the current bill for ten months after the installation of the third meter has been sent as a lump sum claim, which would be difficult for the petitioner to clear all at once, the same is totally beyond the scope of the writ petition itself and, as such, the installments sought by

the petitioner in connection with the contempt application is *de hors* the jurisdiction of the contempt court to pass.

However, in view of the WBSEDCL having complied with the order of this court, it is deemed that there was a misinterpretation of the order on the part of the WBSEDCL, the apology for which, tendered in court, is accepted.

Further personal appearance of the alleged contemnors is dispensed with.

CPAN 1273 of 2022 is, accordingly, disposed of.

However, nothing in this order shall preclude the petitioner from approaching the WBSEDCL for adequate installments to pay the current amounts.

If such an application is filed, the WBSEDCL shall decide on the same in its own discretion and 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.)