

19th January,
2023
(AK)
04

W.P.A 28863 of 2022

Chinmoy Mondal
Vs.
West Bengal State Electricity Distribution Company Ltd.
and others

Ms. Soma Kar Ghosh
Mr. Arabinda Pathak
...for the petitioner.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
...for the WBSEDCL.

The petitioner's grievance is that the petitioner was overcharged for electricity use by the WBSEDCL.

Accordingly, the electricity supply to the petitioner's cold storage was disconnected, for which the petitioner has suffered from immense financial loss.

Accordingly, since the petitioner seeks installments, unless the same is granted for repayment of the dues, it will not be possible for the petitioner to pay the necessary amount for getting electricity.

Learned counsel for the WBSEDCL submits that the electricity line of the petitioner was disconnected as long back as on November 27, 2020. Hence, it is submitted that by operation of law, the contract between the parties stands automatically terminated.

As such, it is submitted that the petitioner has to apply for a fresh electricity connection now.

Heard learned counsel for the parties, it transpires that the petitioner has raised a dispute with regard to the electricity charges claimed by the WBSEDCL.

However, since much time has elapsed after the disconnection, the limitation for preferring such grievance has long expired as well. However, the petitioner is always at liberty to apply for a new electricity connection.

Accordingly, WPA 28863 of 2022 is disposed of by granting liberty to the petitioner to apply for a fresh electricity connection to the cold storage of the petitioner.

If so applied, the WBSEDCL shall raise the necessary quotation for giving such new electricity connection to the petitioner.

However, in the event the petitioner seeks some installments in depositing the entire amounts outstanding for the purpose of getting the new connection, the WBSEDCL shall consider such request and decide on the same as expeditiously as possible in order to enable the petitioner to commence the petitioner's business.

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.)