

D/L. 14.
February 29, 2024.
MNS.

WPA No. 2150 of 2024

Tanusri Bhuinya
Vs.
The State of West Bengal and others

Mr. Agniswar Bhuinya,
Mr. Uttam Banerjee

... for the petitioner.

Dr. Madhusudan Saha Roy

...for the WBSEDCL.

Mr. Priyankar Saha,
Mr. Rudrajit Sarkar

...for the State.

1. Mr. Agniswar Bhuinya, learned counsel for the petitioner, submits that the petitioner had challenged an allegedly exorbitant electricity bill before the concerned Regional Grievance Redressal Officer (RGRO). Upon being dissatisfied with the order passed by the RGRO, the petitioner has preferred an appeal before the Ombudsman, which is now pending. During such pendency, the electricity meter of the petitioner, who is running a fishery, has been burnt. Despite the request of the petitioner, the same is not being replaced by the Distribution Licensee, necessitating the present writ petition.

2. Learned counsel appearing for the Distribution Licensee alleges that the meter got burnt due to overdrawal of electricity.
3. Be that as it may, learned counsel for the petitioner makes a fair submission that the WBSEDCL be directed to replace the burnt meter with a proper new meter subject to the petitioner depositing the dues as per the Distribution Licensee, which, however, shall be subject to the outcome of the adjudication by the Ombudsman.
4. Accordingly, WPA No. 2150 of 2024 is disposed of by directing the petitioner to pay on *ad hoc* basis, without prejudice to her rights, the due amount of Rs.3,17,796.93 p. to the Distribution Licensee within a week from date.
5. Upon such deposit as well as payment necessary charges for the replacement of the meter being made, the WBSEDCL, within 48 hours thereafter, shall replace the burnt electricity meter of the petitioner and restore the electricity supply of the petitioner.
6. However, it is made clear that such payment and the restoration will be on an *ad hoc* basis, subject to the outcome of the adjudication at present pending before the Ombudsman.

7. The Ombudsman will be at liberty to decide the issues between the parties independently without being influenced in any manner by any of the observations made herein and upon conclusion of the hearing shall be at liberty to pass an order pertaining to the deposit on ad hoc basis now being made and the restoration of the electricity connection which will be made by the Distribution Licensee.
8. There will be no order as to costs.
9. 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.)