

15th April,
2024
(AK)
09

W.P.A 5787 of 2024

Meri Samanta
Vs.
The State of West Bengal and others

Mr. Suryasarathi Basu
Mr. Rahul Banerjee
...for the petitioner.

Mr. Malay Krishna Dey
Ms. Arpita Mondal
...for the State.

Ms. Susmita Chatterjee
...for the WBSEDCL.

1. It is submitted by learned counsel for the petitioner at the outset that he seeks to leave to correct the synopsis and ground no.3 of the writ petition inasmuch as the petitioner has been mentioned as an MSME unit whereas it is not an MSME unit but a sole proprietorship.
2. In view of such submission, it is deemed that the relevant averments made in the synopsis and ground no.3 of the writ petition are deemed to stand corrected by reading MSME as sole proprietorship.
3. The matter is now taken up for hearing as a motion.
4. Affidavit-of-service filed in court today be kept on record.

5. The present writ petition raises a billing dispute regarding electricity charges payable by the petitioner.
6. Learned counsel for the petitioner argues that from October 2023, due to off season, the ice plant run by the petitioner was not operative.
7. Even in January 2024, the communication and website of the WBSEDCL itself reflected an outstanding amount of electricity charges of Rs.1914/- against the petitioner's Consumer ID Number.
8. However, in the bill dated January 3, 2024, a huge amount of Rs.2,96,216/- was claimed as outstanding charges by the WBSEDCL, contrary to the previous stand taken on the same date on the website of the said Distribution Licensee.
9. The petitioner has approached the concerned Grievance Redressal Officer with the dispute but no decision has been taken thereon.
10. Learned counsel submits that the petitioner apprehends disconnection of electricity before the dispute is decided by the Grievance Redressal Officer (GRO).
11. Learned counsel appearing for the WBSEDCL also takes a stand that it is the Grievance Redressal Officer who is to take a call on the issue as per the

regulations of the West Bengal Electricity Regulatory Commission.

12. Learned counsel for the WBSEDCL also hands over a statement of facts containing a chart to justify its billing.
13. However, since affidavits are not being directed, although the said statement is kept on record, the dispute is not being decided in the writ jurisdiction, particularly in view of the fact that the matter is already pending before the appropriate authority, that is, the GRO.
14. Hence, WPA 5787 of 2024 is disposed of by directing the concerned Grievance Redressal Officer, who has been approached with the present dispute on January 15, 2024 by the petitioner, to decide all issues involved, upon giving opportunity of hearing to all the stakeholders including the petitioner and the Distribution Licensee and to decide the issues in accordance with law as expeditiously as possible, positively within six weeks from the date of communication of this order to the Grievance Redressal Officer.
15. It is made clear that till the Grievance Redressal Officer takes a decision, the electricity connection of the petitioner shall not be disconnected due to non-payment of the amount of the alleged outstanding

dues subject, of course, to the petitioner paying the current electricity charges.

16. For such purpose, the WBSEDCL shall issue current bills, without including the disputed outstanding dues in such bills for the time being, till the matter is decided by the Grievance Redressal Officer.
17. It is made clear that the merits of the matter have not been gone into by this court.
18. There will be no order as to costs.
19. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)