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07.05.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 12593 of 2024

Mohammed Ali
Vs.
State of West Bengal & Ors.

Ms. Priyanka Das
...for the petitioner

Mr. Jayanta Samanta,
Ms. Indu Mouli Banerjee
...for the State

Mr. Kanak Kiran Bandyopadhyay
...for the WBSEDCL

1. Leave is granted to learned counsel for the petitioner to file affidavit of service during the course of the day.

2. The petitioner alleges that on a faulty matter reading, exorbitant bills were raised. Subsequently, the petitioner applied under the 'Duare Sarkar' Scheme floated by the State Government and the dues were settled at a particular amount.

3. The first instalment of the settled amount was paid by the petitioner. However, when the petitioner went to pay the second instalment, an allegedly exorbitant bill including interest was

raised, which is the subject matter of challenge in the present writ petition.

4. Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) contends that the electricity meter stands in the name of the deceased mother of the petitioner. That apart, the WBSEDCL stands by the bill raised by it.

5. Since as per the extant Regulations, it is the concerned G.R.O. (Grievance Redressal Officer) who is to take a call on the disputes as raised herein, which is a billing dispute, it would only be appropriate if the petitioner is granted liberty to approach the said authority.

6. Insofar as the meter standing in the name of the deceased mother of the petitioner is concerned, the petitioner is at liberty to make a proper application to the WBSEDCL for alteration of name in the meter.

7. Accordingly, W.P.A. No. 12593 of 2024 is disposed of by granting liberty to the petitioner to make a proper application for change of name in respect of the concerned meter from the name of the deceased original consumer to that of the petitioner.

8. However, subject to the petitioner filing the same, the application will be processed only after

the adjudication of dispute raised by the petitioner by the G.R.O. as per the following directions.

9. The petitioner shall approach the concerned G.R.O. within three days after filing the application (for transfer of the meter in his name) with the disputes as raised in the present writ petition.

10. If so approached, the concerned G.R.O. shall decide such disputes in accordance with law, upon giving opportunity of hearing to all concerned, within eight weeks from the said approach being made.

11. During pendency of the dispute before the G.R.O., no coercive action shall be taken by the WBSedCL, including disconnection of the electricity supply of the petitioner, for non-payment of the disputed amount.

12. It is further clarified that the G.R.O. shall deal with the dispute raised by the petitioners irrespective of the pendency of the name transfer application, by deeming the petitioner to be a consumer for the purpose of raising such dispute.

13. The outcome of the application for transfer shall be subject to the result of the adjudication by the G.R.O.

14. It is made clear that the merits of the matter have not been gone into by this Court.

15. The parties shall act on the server copy of this order without insisting upon prior production of a certified copy thereof for the purpose of compliance.

16. There will be no order as to costs.

17. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)