

24.06.2024
Sl. No.2(DL)
srm

W.P.A. No. 12971 of 2023

Sabir Ahmed

Versus

**West Bengal State Electricity Distribution
Company Limited & Ors.**

Mr. Kishore Mukherjee,
Mr. Ahitagni Dey

...for the Petitioner.

Ms. Susmita Chatterjee

...for the WBSEDCL.

1. Affidavit-of-service is taken on record.
2. The petitioner alleges wrongful disconnection of his electricity supply. According to the petitioner, the provisional bill suffers from miscalculation. The provisional bill was issued on March 17, 2023. The final bill was raised, confirming the provisional bill.
3. On April 17, 2023, the petitioner alleges to have submitted an application before the authority, seeking permission to deposit 50% of the assessed amount and also filed a memorandum of appeal challenging the assessment. Such letter is annexure P-4 to the writ

petition. It is the specific contention of the petitioner that the petitioner was not allowed to deposit the money.

4. Ms. Chatterjee, learned Advocate appearing for the West Bengal State Electricity Distribution Company Limited submits that the appeal was not filed within time. Hence, the writ court should not pass orders, as prayed for.
5. It appears to this Court that within 30 days from receipt of the assessment, the petitioner approached the authority with a prayer to deposit 50% and to file an appeal.
6. It is contended by the petitioner that under a misconception that the authority would permit the petitioner to take necessary steps, the memorandum of appeal was not filed before the appropriate authority.
7. This Court does not find any intentional delay on the part of the petitioner. The petitioner approached the appropriate authority seeking permission to deposit 50% of the assessed amount.
8. Under such circumstances, liberty is given to the petitioner to deposit 50% of the finally assessed amount and file his memorandum of appeal. Such exercise shall be completed by the petitioner within 15 days from date. The authority shall decide the appeal in accordance with

law. The authority will dispose of the entire appeal, if the petitioner complies with the direction of this Court, within four weeks thereafter. A reasoned order shall be passed.

9. The writ petition is, thus, disposed of.

10. There shall be no order as to costs.

11. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)