

July 29, 2024
Sl. No.259
Court No.9
s.biswas

WPA 18458 of 2024

Meri Samanta
vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Soumen Kr. Dutta
Mr. Subham Dutta
Mr. Sk. Sayan Uddin
Mr. Rahul Banerjee

... for the petitioner

Ms. Susmita Chatterjee

... for the WBSEDCL

1. The petitioner has challenged two bills which have been raised by the West Bengal State Electricity Distribution Company Limited. Such bills are at pages 26 and 27 of the writ petition. It is alleged that the bill dated July 3, 2024 was raised on the basis of the reading of an earlier defective meter, thereby asking the petitioner to pay Rs.4,92,017/-.
2. The petitioner contends that the bill was raised without following the direction of the Regional Grievance Redressal Officer (for short RGRO). The subsequent bill dated July 9, 2024 was raised upon the change of the meter as directed by the RGRO, but by also incorporating the earlier dues which were raised on the basis of a defective meter.
3. Aggrieved by the bills of October, November and December 2023, the petitioner moved a writ

petition. A Co-ordinate Bench directed the RGRO to dispose of the petitioner's application by which the petitioner had raised a billing dispute. Accordingly, the RGRO was approached and the dispute was disposed of with certain directions upon the authority to change the defective meter and to raise bills in terms of Regulation 3.6.1 of the WBERC 1955. Direction was given to regenerate the bill dated January 3, 2024 and all the bills thereafter till the replacement of the meter on the basis of average unit consumption pattern for the same period of the previous year, i.e., October, November and December 2022. The disputed period was from October to December 2023.

4. The bills which have been disputed before this court do not reflect exactly how the calculations were arrived at. Moreover, the meter was replaced on June 6, 2024. Thus, the bill dated January 3, 2024 and the subsequent bills up to the date of replacement were to be raised on the average consumption of the units for the same months of the previous year, i.e. 2022.
5. Under such circumstances, the writ petition is disposed of directing the authority to issue bills with the break up as directed by the RGRO within a period of one week. If the petitioner is aggrieved

by such billing, the petitioner is at liberty to approach the RGRO in accordance with law. In order to avoid the disconnection, the petitioner shall deposit the current bills which are being charged after replacement of the meter. Further Rs.1 lakh towards outstanding dues, shall be deposited within a period of three weeks. The decision of the RGRO shall be binding.

6. Accordingly, the writ petition stands disposed of.
7. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)