

20.08.2024
Court No.09
Item no.27
CP

WPA No. 20778 of 2024

Smt. Laxmi Mukherjee
Vs.
Calcutta Electric Supply Corporation Ltd. & ors.

Mr. Ayanava Bhattacharyya
... for the Petitioner.
Mr. Shoham Sanyal
....for the CESC Ltd.

The writ petition is premature. The final assessment is yet to be made. The petitioner is entitled to raise all objections before the concerned authority and the final assessment will be done upon hearing the petitioner and her objections. The petitioner shall be entitled to be represented by a learned advocate during the time of final assessment. The contention of the petitioner that the old couple did not have any reason to tamper the meter shall also be taken into consideration.

The prayer for restoration cannot be granted at this stage as the law has been now well-settled, that restoration can be granted if the consumer is willing to deposit the entire finally assessed amount without prejudice to consumer's rights and contentions and the objections.

The writ petition is disposed of accordingly. There shall be no order as to costs. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)