

September 9, 2024
Sl. No.A 23
Court No.9
s.biswas

WPA 22240 of 2024

Sahaban Mondal
vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Kamal Jahiruzzaman
Mr. Isteyak Ahmed
Mr. Saikat Chatterjee
Mr. Abdur Rakib
Mr. Nur Hassan Zamadar

... for the petitioner

Dr. Madhusudan Saha Roy

... for the WBSEDCL

1. The petitioner has challenged the final order of assessment.
2. The petitioner has not filed a statutory appeal.
The writ petition is also not maintainable on account of inordinate delay. The final order of assessment was passed on March 17, 2021 and the writ petition has been filed on September 3, 2024. The statutory period to file the appeal under Section 127 of the Electricity Act, 2003, is 30 days from the receipt of the order of final assessment. If the writ petition had been filed within the said statutory period, the court could have condoned the delay and relegated the matter to the appellate authority. In view of the inordinate delay of more than three years, no order can be passed.
3. However, if the petitioner seeks restoration, he may be allowed to pay up the amount in

instalments. The petitioner shall pay an amount of Rs.1,87,477.00/- in eight equal monthly instalments. Upon payment of three instalments with reconnection charges, the connection shall be restored. The petitioner shall continue paying the bills to be raised upon such restoration. Failure to pay the instalments or the consumption bill, shall entitle the authority to disconnect.

4. The writ petition is accordingly disposed of.
5. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)