

27.09.2024
Court No.09
Item no.16
CP

WPA No. 24546 of 2024

M/s ABC Ganpati Fisheries, represented by
one of the partners Anand Kumar Shaw

Vs.

West Bengal State Electricity Distribution Company
Ltd. & ors.

Mr. Naba Kumar Das
Ms. Diana Ghosh Dastidar
Mr. Debayan Roy Chowdhury
Mr. S Sil

....for the petitioner.

Mr. Sujit Sankar Koley

.....for the WBSEDCL.

The writ petition has been filed challenging
disconnection on account of unpaid dues.

It appears that a sum of Rs.35,45,481/- was
claimed from the petitioner. The petitioner
approached the Grievance Redressal Officer who
upheld the demand. The petitioner approached the
civil court and was refused an injunction. At this
juncture, the petitioner has moved this writ petition
for further orders.

This court cannot pass any order, thereby
reducing the claim of the authority, when the same
has been upheld by the Grievance Redressal Officer.

This court should not entertain the writ
petition, but is doing so only on the undertaking

given by the learned advocate for the petitioner upon instruction, that the suit will be withdrawn.

Under such circumstances, the court deems it fit that on equitable consideration and in order to ensure that the business of the petitioner does not stop completely, one last opportunity should be granted to the petitioner to liquidate the entire demand by way of instalments.

As the amount is huge, this court directs that upon payment of Rs.10,00,000/- within 10 days from date and reconnection charges, the authority shall reconnect the supply line, provided that the suit has been withdrawn.

With regard to the remaining amount, the authority will issue a bill with the amount and the date of payment of the entire amount in ten equal monthly instalments.

Failure to pay any one of the instalments shall result in further disconnection.

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.)