

D/L 17
11.11.2024
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 24830 of 2024

J.P. Rice Mill
Vs.
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Sunny Nandy
Mr. Anand Jha
Ms. Sneha Pathak

...for the Petitioner.

Mr. Sandip Mondal
Ms. Jayeeta Sinha

...for the State.

Mr. Sujit Sankar Koley

...for WBSEDCL

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is a bulk consumer of electricity. It is aggrieved by the order dated 27th August, 2024 passed by the Superintending Engineer and the Regional Manager of WBSEDCL, opining that the bills raised by the licensee during the defective period is justified and in accordance with the regulations framed by WBERC. The petitioner has been directed to clear the outstanding dues in full within fifteen days.
3. The defect period is from 20th January, 2024 to 13 March, 2024. According to the petitioner, the bills which have been raised for the said period are highly inflated. The authority ought not to have taken into consideration the three months average for arriving at a decision to calculate the dues in respect of the consumption which escaped assessment.
4. Attention of this Court has been drawn to the fact that the petitioner has already paid a sum of Rs. 10, 00,000/- (Ten Lakh only) in terms of the order passed by this Court on 9th

July, 2024 in **WPA 15660 of 2024**. The petitioner claims to be paying the regular bills.

5. Upon hearing the submission made on behalf of both the parties and on perusal of the records, it appears that the petitioner has tried to raise a dispute with regard to the quantum of bill which has been assessed for the period during which the meter was found to be defective. Law provides for an aggrieved consumer to raise a proper dispute before the Grievance Redressal Officer.
6. Accordingly, the instant writ petition is disposed of by observing that, it will be open for the petitioner to approach the concerned Grievance Redressal Officer highlighting its grievances by filing a comprehensive representation within ten days from the date of this order.
7. In the event such a representation is made, then it will be open for the Grievance Redressal Officer to consider the same in accordance with the prevailing rules and regulations.
8. An opportunity of hearing shall be given to the petitioner and a reasoned order shall be passed and communicated to the petitioner at the earliest but positively within a period of four weeks from the date of filing the representation.
9. The petitioner is directed to pay an ad hoc amount of Rs. 12, 00,000/- (Twelve Lakh only) prior to or at the time of filing the representation. If the Grievance Redressal Officer comes to an opinion that the amount that has been paid by the petitioner will liquidate the dues, then necessary order will be passed. If any further amount is found due and payable, then the petitioner shall be obliged to pay the same, in accordance with law.
10. If the money is deposited within the time specified hereinabove, then the respondent authority shall not take any

steps for disconnecting the service line of the petitioner until a fresh order is passed by the authority.

11. The writ petition stands disposed of.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)