

Item No.40
29.10.2024
Court. No. 3
GB/srm
(Vacation Bench)

W.P.A. 26228 of 2024

Hotel Sea Coast Private Limited
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Sumitabha Chakraborty,
Mr. Washim Akthhir Dafader

...for the Petitioner.

Ms. Sabnam De Bardhan,
Ms. Sangeeta Roy,
Mr. Hare Krishna Halder

...for the State.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

Affidavit of service filed be kept with the record.

The present writ petition has been preferred challenging the electricity bill dated 04.10.2024 which relates to the billing cycle for the month of September 2024. In the said bill it appears that all outstanding dues in respect of the said connection has been demanded by the said authorities.

It is submitted by the learned counsel for the petitioner that whenever the petitioner is going to pay the amount for the month of September 2024 minus the outstanding dues, the same is not being accepted by the department as per the system.

An order of a coordinate Bench dated 03.09.2024 passed in WPA 20725 of 2024 has been placed before this Court. In compliance to the said order the writ petitioner has

preferred an appeal before the Grievance Redressal Officer regarding the outstanding dues.

It is admitted by the learned counsel appearing for the WBSEDCL that the entire matter is before the Grievance Redressal Officer. It is further submitted that the present bill has been raised as per the system and it is beyond their control to issue a bill without showing any outstanding demand.

Considering the fact that the dispute is pending before the Grievance Redressal Officer, liberty is granted to the writ petitioner to deposit the second instalment, as directed by the Court vide its order dated 03.09.2024 and the petitioner is further granted liberty to deposit the current monthly bill amount minus the outstanding amount which is to be accepted by the WBSEDCL so as to no prejudice is caused to the writ petitioner once again. The petitioner will continue to pay the current bills as directed above.

In case such a system does not exist with the WBSEDCL the said amount shall be deposited with the department under miscellaneous head which shall be subsequently adjusted/applied towards the electricity charges in respect of the said connection.

Pending disposal of the dispute by the Grievance Redressal Officer, the WBSEDCL is restrained from disconnecting the electric connection of the writ petitioner.

The Grievance Redressal Officer shall decide the case on hearing the parties and dispose of the same in accordance with law.

It is made clear that this Court has not gone into the merits of the outstanding amount which is to be solely decided by the officer concerned.

Accordingly, the writ petition stands disposed of.

Parties are directed to act on the basis of the server copy of this order duly downloaded from the official website of this Court.

[Shampa Dutt (Paul), J.]