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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 28596 of 2023

Aslema Khatun (Begum)
Vs.
The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Bhaskar Chandra Manna
... for the petitioner

Mr. Sujit Sankar Koley
... for the WBSEDCL

1. Learned counsel for the petitioner submits that the petitioner is a financially weak lady. She installed a submersible pump and sought electricity connection to operate it. Subsequently, an exorbitant provisional assessment bill was sent to the petitioner on the allegation of unauthorized use of electricity. The petitioner was also arrested and obtained bail upon condition of payment of an amount.

2. Upon being directed by a coordinate Bench of this Court, as affirmed in appeal, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) gave a hearing to the petitioner and granted installments to the petitioner. However, due to the indigent financial condition of the petitioner, she could not pay such amount.

3. Learned counsel for the petitioner submits that since the bill was exorbitant and the objection of the petitioner has not been considered by the WBSEDCL, a direction may be given in that regard.

4. Learned counsel for the WBSEDCL submits that, pursuant to an order of the Court, opportunity of installments were granted to the petitioner but she failed to pay such amounts even by such installments.

5. That apart, a final order of assessment has already been passed some time back, which has not been challenged by the petitioner under Section 127 of the Electricity Act, 2003. Hence, there is no scope of grant of any relief.

6. Upon hearing learned counsel for the parties, it transpires that the petitioner has already explored the opportunity of paying by installments but failed to pay the same. Despite having full sympathy for the financial condition of the petitioner, the hands of the court are tied, since the law provides for an appeal against a final order of assessment, which has not been taken out by the petitioners.

7. In such circumstances, there is no scope of granting relief in the present writ petition.

8. Accordingly, W.P.A. No. 28596 of 2023 is dismissed on contest without, however, any order as to costs.

9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)