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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No.32151 of 2014
+
C.A.N. 1 of 2019(Old CAN 6639 of 2019)

Sri Debabrata Das
Vs.
WBSEDCL & Ors.

Mr. Binoy Kumar Das
...for the petitioner

Mr. Srijan Nayek
Ms. Rituparna Moitra
...for the WBSEDCL

CAN 1 OF 2019 (Old CAN 6639 of 2019)

This is an application for recalling of an order dated June 14, 2019.

On a perusal of the averments, sufficient cause and good reason is shown as to why the writ petitioner was unrepresented on the day the matter was dismissed for default.

In view of the above, the order dated June 14, 2019 stands recalled.

WPA 32151 of 2014 is restored to its original file.

CAN 1 of 2019 (Old CAN 6639 of 2019) is disposed of.

WPA 32151 of 2014

By consent of the parties, the matter is taken up for hearing.

The grievance of the petitioner is directed against a provisional order of assessment dated May 25, 2013 aggregating to Rs.4,02,176/-.

It is submitted on behalf of the respondent corporation that this writ petition is not maintainable on the ground that the petitioner has a statutory alternative remedy of appeal under Section 127 of the Electricity Act, 2003.

In view of the available statutory alternative remedy, there is no question of entertaining the writ petition. There are no grounds made out or even suggested to entertain this petition in view of the statutory alternative remedy.

WPA 32151 of 2014 is dismissed on the ground of maintainability.

Liberty is granted to the petitioner to avail any remedy, if so advised, in accordance with law.

(Ravi Krishan Kapur, J.)