

D/L 9
07.01.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 167 of 2025

Sk. Hasmat Ali

Vs.

The Chairman and Managing Director, WBSEDCL & Ors.

Mr. Md. Zeeshanuz Zaman

...for the Petitioner.

Mr. Amitabh Shukla

...for the WBSEDCL.

1. The grievance of the petitioner is that the Distribution Company Limited has raised arbitrary bills contrary to the directions passed by the Ombudsman in the final order dated 16th March, 2021.
2. The Ombudsman directed the licensee to cancel the disputed bill(s) raised in respect of the service connection of the petitioner from July, 2014 up to the date of replacement of the defective meter and to regenerate the same on average estimated monthly consumption basis to be calculated as per the actual consumption recorded in the new meter to be installed for a period of succeeding one year to take care of the seasonal variation without levying any LPSC after allowing normal tariff/slab benefit and adjustment of payment made on 28th January, 2020 and *ad-hoc* payment to be made by the petitioner during the intervening period.
3. The petitioner submits that, despite specific direction passed by the Ombudsman, the licensee did not regenerate the bill for which the petitioner was not in a position to make the payment.
4. Last payment made by the petitioner was on 2nd March, 2021.
5. The licensee has raised a bill of rupees five lakh and odd in November, 2024 and because of non-payment of the same the electricity line was disconnected.

6. The petitioner prays for reconnection of the electricity line subject to payment of an *ad-hoc* sum.
7. Learned advocate representing the Distribution Company Limited relies upon the instruction dated 6th January, 2025 forwarded by the AE & Station Manager, wherein it has been mentioned that several notices of disconnection was served upon the petitioner and request was made to register his mobile number, but the same has not been done. The current electricity bill amounts to Rs. 2, 38, 421/- and the service line was disconnected on 18th December, 2024.
8. Attention of the Court has been drawn to the order of the Ombudsman wherein direction was passed upon the petitioner to pay the regular bill raised by the licensee on time failing which the licensee shall be at liberty to disconnect the service line as per the existing norms. It has been submitted that, there is huge amount due and payable from the petitioner; accordingly, the electricity line has been disconnected.
9. I have heard the submissions made on behalf of both the parties and perused the materials on record.
10. There is no dispute that the petitioner failed to make any payment after 2nd March, 2021. The petitioner was bound to pay the current bills, but the petitioner did not pay the same and at the same time point fingers towards the licensee mentioning that the disputed bills were not regenerated in terms of the direction passed by the Ombudsman on 16th March, 2021.
11. The licensee company mentions that the sum of Rs. 2,38,421/- is the current electricity bill that is due and pending.
12. The petitioner is directed to pay the *ad-hoc* sum of Rs. 2,50,000/- only to the Distribution Company Limited within 24th January, 2025. Subject to the payment of the aforesaid amount within the stipulated time period, the electricity line of

the petitioner shall be reconnected upon compliance of all the requisite formalities. As regards the balance amount which is disputed, the licensee shall take strict steps in terms of the direction passed by the Ombudsman.

13. The writ petition stands disposed of.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Amrita Sinha, J.)