

17
22.01.2025
Court No.14
BP/AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 1815 of 2025

Hotel Sea Coast Private Limited
Vs.
WBSEDCL & Ors.

Mr. Srijib Chakraborty.
Mr. Sumitava Chakraborty.
Mr. W. A. Dafadar.

... for the Petitioner.

Mr. S. S. Koley.

... for the WBSEDCL.

1. Supplementary affidavit filed in Court today be kept with the records.
2. By way of supplementary affidavit the order of RGRO and DE (E) dated 27th November, 2024 has been placed before this Court.
3. It appears that a representation was filed before the RGRO in compliance of the direction passed by this Court disclosing several facts and figures.
4. The RGRO on consideration of the same has not referred to any of the facts and the figures as mentioned in the representation. The grounds set out by the petitioner in the representation do not appear to have been considered by the RGRO. The RGRO observed that the amount claimed by the authority is justified. The reason for arriving at such a decision has not been specified in the order impugned.
5. According to the Act, there is an appellate authority before which an appeal is to be preferred against the order of the RGRO.

6. Learned advocate representing the Distribution Company Limited submits that the petitioner may raise all points before the appellate authority.
7. The Court is not inclined to accept such submission made by the learned advocate representing the Distribution Company Limited. The same is primarily because of the reason that the order passed by RGRO is an absolute non-speaking and cryptic order.
8. Without the grounds mentioned therein, the appellate authority will also not be in a position to decide the appeal on merits.
9. In view of the above, the Court is inclined to set aside the order passed by the RGRO and, accordingly, sets aside the order dated 27th November, 2024 passed by the RGRO and DE (E).
10. The RGRO is directed to reconsider the representation filed by the petitioner strictly in accordance with law and dispose of the same by giving reasons at the earliest but positively within a period of eight weeks from the date of communication of this order.
11. A reasonable opportunity of hearing shall be granted to the petitioner to rely upon documents in support of its stand.
12. Till one week after communication of the reasoned order by the RGRO, the authority will not implement the order that may be passed.
13. The petitioner is directed to continue making payment of the current bills that will be raised by the authority.
14. As the order of the RGRO has been set aside by the Court, the notice of disconnection dated 20th January, 2025 and the demand raised on 14th January, 2025 also stands set aside.
15. The writ petition stands disposed of.

16. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)