

13.05.2025

Item No.13

Ct. No. 15

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WPA 3152 of 2025

Nurul Islam Mondal

Vs.

**West Bengal State Electricity Distribution
Company Limited & Ors.**

Mr. Hamidur Rahaman
...for the petitioner

Mr. Sujit Sankar Koley
..for WBSEDCL

In Re: WPA 3152 of 2025

The petitioner's electricity connection was disconnected on the allegation of electricity pilferage.

It appears that a final assessment order was issued on February 26, 2014, directing the petitioner to pay an amount of ₹38,667. Furthermore, on April 4, 2024, the petitioner was asked to deposit ₹39,092 to avail the benefits of the One-Time Waiver Scheme. This fact is evident from Annexure P-4 to the supplementary affidavit.

Subsequently, the petitioner was asked to make a final payment of ₹38,667. In addition to this amount, the petitioner is stated to have paid ₹850 and ₹1,761 towards earlier dues.

The petitioner contends that despite making the aforementioned payments, including the reconnection

charge, the Licensee Company (WBSEDCL) has refused to restore his electricity connection.

Learned counsel appearing for WBSEDCL submits that the petitioner has not cleared his dues towards the Late Payment Surcharge (LPSC). On that ground, the electricity connection has not been restored. It is further contended that the One-Time Settlement Scheme is not applicable in cases involving electricity theft. Hence, the petitioner must approach the Waiver Committee for potential relief regarding the LPSC.

Upon consideration of the above submissions, I find no merit in the stand taken by WBSEDCL.

Annexure P-4 to the supplementary affidavit clearly indicates that under the One-Time Settlement Scheme, the petitioner was asked to deposit ₹39,092. When the authority itself invoked the Scheme and demanded payment under it, it cannot now be contended that the Scheme is inapplicable to the petitioner. Notably, the Scheme expressly excludes late payment surcharges from its ambit.

Since the petitioner has paid an amount exceeding what was required under the One-Time Settlement Scheme, I am of the opinion that the electricity connection ought to be restored without further delay.

In the facts and circumstances of this case, WBSEDCL is not justified in insisting upon payment of the late payment surcharge.

Accordingly, the writ petition is allowed. WBSEDCL is directed to restore the electricity connection of the petitioner within a period of two weeks from the date of this order, subject to the petitioner complying with any additional formalities, if required.

Accordingly, **WPA 3152 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)