16 17-06-2025

AKG

Ct. 15

WPA 5011 of 2025

Sri Tarun Kanti Majumder

Vs.

West Bengal State Electricity Distribution Company Limited & Ors.

Mr. Aditya Mondal,
Mr. Washim Akthir Dafader

…for the Petitioner

Mr. Sujit Sankar Koley

…for WBSEDCL

The petitioner has filed the present writ petition on March 1, 2025, challenging the final order of assessment dated December 16, 2024.

The West Bengal State Electricity Distribution Company Limited (WBSEDCL) has submitted an affidavit in opposition. From the affidavit, it appears that the assessing officer in question was a member of the inspection team, and that the inspection report was duly served upon the petitioner.

Learned advocate for the petitioner, however, submits that an appeal was preferred against the final order of assessment dated December 16, 2024, and that the same ought to be considered by the appellate authority.

Attention of this Court has been drawn to paragraph 5 of the petitioner's supplementary affidavit, wherein it is stated that the petitioner had attempted to file an appeal before the appellate authority on February 19, 2025, but the appeal was returned.

Learned advocate for WBSEDCL submits that the appeal was returned as the petitioner had failed to deposit 50% of the assessed amount along with the requisite appeal fees, as mandated for preferring such an appeal.

Without entering into the merits of the controversy and considering the special circumstances of the present case, liberty is granted to the petitioner to file a fresh appeal before the statutory appellate authority within three weeks from the date of this order. If the appeal is filed in proper form and is accompanied by the necessary fees and deposit, the same shall be registered and adjudicated by the appellate authority in accordance with law.

Accordingly, **WPA 5011 of 2025** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)