

1109
2025

WEDNESDAY

COURT : MB-07
ITEM : AD-05
STATUS : DO
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4586 OF 2020

ANANDO SAMANTA
VS.
THE STATE OF WEST BENGAL & ORS.

MR. PUDARI KAKSHA BHATTACHARYA, ADVOCATE

.....for the Petitioner

MR. ASHIM KUMAR GANGULY, ADVOCATE

MR. BELAL SHEIKH, ADVOCATE

.....for the State

1. The present writ petition has been filed seeking a direction upon respondent nos. 1, 2, and 4 to make payment of the outstanding dues which, according to the petitioner, were deposited with the office of the West Bengal State Electricity Distribution Company Limited (WBSEDCL) towards electricity charges amounting to Rs. 3,79,891/- against Consumer ID 512027986 (Meter No. 45507112)
2. Mr. Bhattacharya, learned Advocate appearing for the petitioner, submits that the petitioner is the owner of the premises bearing Holding No. 146, Mohalla Sankhari Pukur, Plot No. 1115. The said premises, popularly known as the 'Old DIB Office', was requisitioned vide G.O. No. 69160 Reque., dated 17.06.1960, at a monthly rent of Rs. 402.85/- to accommodate the office of the DIB. He submits that in 2010, the DIB Office was relocated to a new address; however, the outstanding electricity dues remained unpaid. Referring to a notice dated 04.04.2018 issued to the petitioner, he submits that the petitioner deposited the entire amount, as the WBSEDCL had attempted to disconnect the electricity supply due to non-payment of electricity charges and/or outstanding bills. He further submits that the said amount was liable to be paid by the DIB Office, as it was the consumer of the electricity.
3. Mr. Sheikh, learned Advocate appearing for the State, produces a report and submits that the old DIB office was shifted to another location in July 2010, and the building in question was completely vacated on 31.03.2013. The keys to the building were handed over to an employee of the Land Acquisition Office, Burdwan, on 26.04.2013 in the presence of a representative of the house owner. He

submits that until the premises were vacated, all electricity bills were duly paid by the DIB Office, Burdwan. As of 18.05.2009, the last outstanding due was Rs. 2,50,473/-, which was fully paid by the DIB Office, Burdwan to WBSEDCL.

4. Having heard the learned Advocates for the respective parties and upon perusal of the materials on record, including the report produced on behalf of the State, I am of the view that there exists a dispute regarding the outstanding dues against Consumer ID 512027986 (Meter No. 45507112), which were allegedly liable to be paid by the DIB Office, Burdwan. Therefore, in order to determine this question of fact, a proper examination of the relevant documents, including electricity bills and records showing payment of electricity charges by the DIB Office, Burdwan, is required.
5. In view thereof, this Court grants liberty to the petitioner to submit a representation to the Station Manager, WBSEDCL, Sector-III CCC, ventilating his grievances, within a period of four weeks from the date.
6. In the event such representation is received, the Station Manager shall consider the same and take an appropriate decision thereon. However, before taking such decision, the Station Manager shall afford an opportunity of hearing to the petitioner as well as to the representatives of the DIB Office, Burdwan.
7. If the Station Manager finds that the petitioner's contention deserves acceptance, appropriate steps shall be taken to ensure that the amount deposited by the petitioner is refunded to him. If, however, the Station Manager finds that the petitioner's claim lacks merit, a reasoned order shall be passed and communicated to the petitioner.
8. The entire exercise shall be completed within eight weeks from the date of receipt of the petitioner's representation.
9. With these order and observations, **WPA 4586 of 2020 is disposed of.**

(PARTHA SARATHI CHATTERJEE, J.)

