

18.07.2025
SI No.124
Ct. No.15
S.A.

WPA 15365 of 2025

Laxmi Narayan Food Products (Unit II)
-vs-
West Bengal State Electricity Distribution
Company Limited

Mr. Arindam Banerjee

Mr. Samriddha Sen

Mr. Anirban Ghosh

...for the petitioner

Mr. Sujit Sankar Koley

...for WBSEDCL

The petitioner is engaged in operating a flour mill. It is not in dispute that he has been regularly paying his monthly electricity bills to the West Bengal State Electricity Distribution Company Limited (WBSEDCL).

It appears that, by a letter dated April 3, 2025, the petitioner was suddenly directed to pay a sum of ₹1,85,29,330.85 (Rupees one crore eighty-five lakh twenty-nine thousand three hundred and thirty and eighty-five paise) on account of “wrongly exempted electricity duty amount.”

Mr. Sujit Sankar Koley, learned counsel appearing on behalf of WBSEDCL, submits that in accordance with prevailing government circulars, the petitioner was entitled to an exemption from electricity duty for a period of five years from the commencement of his business. Accordingly, the exemption was granted from July 17, 2010, to July 17, 2015. However, due to inadvertence, the exemption

continued to be granted even beyond the permissible period. Consequently, the impugned demand dated April 3, 2025, was issued, requiring the petitioner to remit the amount that had accrued owing to the erroneous continuation of the exemption beyond the five-year term.

Mr. Arindam Banerjee, learned counsel appearing for the petitioner, fairly submits that the petitioner is willing to pay the aforesaid amount of ₹1,85,29,330.85, but seeks liberty to do so in suitable instalments.

In light of the respective submissions and without adjudicating the issue of whether the claim raised under the letter dated April 3, 2025, is barred by limitation, this Court disposes of the writ petition with the following direction:

The petitioner shall deposit a sum of ₹2,60,000 (Rupees two lakh sixty thousand) per month, in addition to his current electricity bills, commencing from August 2025, until the entire outstanding amount of ₹1,85,29,330.85 is fully liquidated.

It is clarified that so long as the petitioner continues to make payments in accordance with this order, the electricity supply to his premises shall not be disconnected.

With the above direction, **WPA 15365 of 2025** stands 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.)