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28-07-2025
AKG
Ct. 15

WPA 16902 of 2025

**Sk. Habib Al Rashid
Vs.
The State of West Bengal & Ors.**

Mr. Sounak Bhattacharya, Mr. Sounak Mandal	...for the Petitioner
Mr. K. J. Yusuf, Mr. A. Dutt	...for the State
Mr. Debjit Mukherjee	...for WBSEDCL

Let the instructions filed by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) as well as by the State be kept with the records.

The petitioner challenges a disconnection notice dated July 14, 2025, issued under Section 56(1) of the Electricity Act, 2003.

The relevant portion of the said notice is extracted below:

“On scrutiny and physical inspection it is found that the above mentioned meter is installed at the premises owned by Sk. Habib Al Rashid, Vill- D Bagnan, P.O.-Chanserput, P.S.-Tamluk who in turn user and defaulter OF Rs. 129935/- against the pilferage bill for unauthorized use of electricit8y vide Con id-222052237 by the name of deceased Sk. Abu Bakkar.

So, this letter is to be treated as Disconnection Notice Under Section 56 (1) of the Electricity Act, 2003 and failure of such payment within 14 days from the issue of this

letter we will be reluctantly to disconnect the said service connection for supplying power to the defaulter's premises."

Mr. Sounak Bhattacharya, learned advocate appearing on behalf of the petitioner, submits that the final order of assessment passed by WBSEDCL, based on the allegation of electricity theft by bypassing the meter, clearly names one Pintu Mal, son of Sk. Abu Bakkar, as being involved in the alleged hooking. It is, therefore, contended that under no circumstances can the petitioner's electricity line be disconnected.

It appears, however, from the F.I.R. lodged by WBSEDCL with the Tamluk Police Station that the petitioner himself was identified as the individual dishonestly consuming electricity through a bypassing arrangement.

Furthermore, the final assessment order indicates that the assessment was made against the petitioner. The mention of "Pintu Mal" in one paragraph appears to be a clerical error. I am not persuaded to conclude that Sk. Habib Al Rashid (the petitioner) was uninvolved in the alleged theft of electricity.

Accordingly, I find no reason to entertain the present writ petition.

The petitioner shall be at liberty to challenge the final order of assessment, if so advised, in accordance with law.

WPA 16902 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.)