

M/L 207
11.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 23879 of 2024

Ujjwal Dhibar

Vs.

The West Bengal State Electricity Distribution Company
Limited & Ors.

Mr. Saheb Banerjee

...for the Petitioner.

Mr. Srijan Nayek

...for WBSEDCL.

1. The appeal allegedly filed by the petitioner before the appellate authority under Section 127 of the Electricity Act challenging the final assessment bill is pending consideration. The petitioner has annexed the receipt to show that the appellate fee was deposited on 28th July, 2023 and the appeal was filed on 18th July, 2023. Prayer has been made to direct the authority to consider the same.
2. Learned advocate representing the Distribution Company Limited submits that, the appeal which the petitioner refers to cannot be treated to be an appeal in the eye of law. It is merely an intention to file an appeal.
3. Be that as it may, as it appears that there is a representation from the petitioner dated 18th July, 2023 before the appellate authority along with the receipt showing deposit of the appellate fee within the stipulated period for preferring the appeal, accordingly, the instant writ petition is disposed of by directing the respondent no. 4 to consider the representation filed by the petitioner by treating the same as an appeal under Section 127 of the Electricity Act and dispose of the same after giving a reasonable opportunity of hearing to the petitioner, at

the earliest, but positively within a period of four weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

4. The writ petition stands disposed of.
5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)