

29.12.2025
Item No.03
PG
Ct. No.7

WPA 27021 of 2025
Krishna Bhunia
Versus
The State of West Bengal & Ors.

Mr. Koushik De
Mr. Chitrak Biswas.....for the petitioner

Dr. Madhusudan Saha Roy.....for the WBSEDCL

Mr. Vijay Agarwal
Mr. Somraj Dhar
Ms. Sabnam De Bardhan
Mr. Soumyajit Ghosh.....for the State

1. Affidavit of service filed in Court today is taken on record.
2. On the prayer of Mr. De, learned advocate for the petitioner, leave is granted to the petitioner to file the supplementary affidavit.
3. The supplementary affidavit filed in Court today is taken on record. Copies of the supplementary affidavit have been served upon the learned advocate for the licensing company as well as the learned advocate for the State.
4. The petitioner, who claims to be a cultivator, was enjoying supply of electricity through a meter standing in the name of his father being Meter No. GX066953.
5. The petitioner alleges that the supply of electricity through the said meter was illegally disconnected on November 7, 2025. Subsequently, the provisional assessment order dated November 18, 2025 was

passed. The petitioner has challenged the entire action of disconnection as well as the provisional order of assessment in this writ petition.

6. Mr. De, learned advocate appearing for the petitioner submits that the supply of electricity through the said meter was disconnected on November 7, 2025, as would be evident from the documents annexed to the supplementary affidavit, but the meter reading was taken on December 5, 2025. He submits that the meter reading after the disconnection of the supply through the meter could not have been recorded.
7. Mr. De further submits that though the outstanding amount as indicated in the bill dated December 15, 2025 is Rs. 26,355/- but in the provisional order of assessment, the demand raised was Rs. 1,75,001/-.
8. Learned senior advocate appearing for the licensing company submits that in the meantime, the final assessment order has been passed on December 10, 2025 and the copy of such assessment order has been duly served upon the petitioner.
9. He further submits that the final order of assessment is an appealable order under the provisions of Section 127 of the Electricity Act, 2003 (for short '2003 Act').
10. The State is represented by Mr. Vijay Agarwal, learned advocate.
11. On a query of Court, Mr. De learned advocate appearing for the petitioner submits that since the

provisional order of assessment was challenged in this writ petition, objection thereto was not filed. As the writ petition was pending, the petitioner also did not participate in the final assessment proceedings before the competent authority.

12. However, since the final order of assessment has been passed and the said order is appealable one under the provisions of Section 127 of the 2003 Act, this Court is not inclined to interfere with such order at this stage. Faced with such situation, Mr. De prays that the petitioner may be given liberty to prefer an appeal against the Final Assessment Order.

13. In view thereof, WPA 27021 of 2025 stands disposed of by giving liberty to the petitioner to prefer an appeal against the final order of assessment dated December 10, 2025 before the Appellate Authority on or before January 6, 2026 upon compliance of the formalities as provided under section 127(2) of the 2003 Act.

14. If the said appeal is preferred within the time limit mentioned hereinbefore, the competent authority shall dispose of the appeal on merits as expeditiously as possible but positively on or before January 20, 2026.

15. Since the final order of assessment was passed during the pendency of this writ petition, petitioner will be at liberty to take all points in the appeal filed against the final order of assessment.

16. It will also be open to the petitioner to pray for re-connection of the supply before the competent authority. If such a prayer is made, such authority shall consider the same and dispose of such prayer in accordance with law.
17. Since no affidavits have been called for, the allegations contained in the writ petition shall not be deemed to have been accepted.
18. With the aforesaid directions, the writ petition is disposed of.
19. There shall be however, no order as to costs.
20. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)