

27.08.2025
Item No.16,DL
Ct.23
A.J.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 22062 of 2009

Abdur Rouf

-Vs-

**The Station Manager, Kholapota Group
Electricity Supply, West Bengal
State Electricity Board & Ors.**

1. The petitioner has approached this Court seeking for a direction upon the respondent authorities not to give effect or further effect to the Final Assessment Order dated 17th June, 2006 issued by the Station Manager, Kholapota Group Electricity Supply, the respondent no.1 herein as well as not to give effect or further effect to the impugned order dated 31st March, 2007 passed by the Appellate Authority being the Office of the Circle Manager, West Bengal State Electricity Board and that is required to be cancel and/or set aside.

2. Brief facts of the case are that the Board's Inspection Team visited the premises of consumer/petitioner on 16th June, 2006 and inspected the installed meters of the petitioner's oil mill. On such inspection, the meter body seal and seal of the P.R. Box were found to be fake and the manufacturing paper seal bore 'Void' marks. Photographs were taken step by step and produced before the authority in the course of hearing. Owing to such pilferage, an FIR was lodged and the police seized the meter. A criminal case is pending before the Competent Court.

3. A provisional bill to the tune of Rs.1,90,556/- was issued to the petitioner on 17th June, 2006.

4. The consumer made payment of Rs.47,639/- on 19th June, 2006 being 25% of the provisional bill and upon payment of such provisional bill the electricity connection was restored on 20th June, 2006 and

thereafter notice of hearing was served upon the appellant to appear on 30th June, 2006 before the Assessing Officer. But the consumer did not turn up. Accordingly, an ex parte order for finalizing the amount of the provisional bill amount was retained vide order dated 30th June, 2006 granting the consumer payable in eight instalments.

5. The petitioner paid a further sum of Rs. 15,880/- being the balance of 33% of the final bill on 17th June, 2006 along with the appeal fee before the Appellate Authority.

6. In the meantime, the petitioner moved to the Hon'ble High Court at Calcutta by filing a writ petition bearing WPA 21171 of 2006.

7. However, the Appellate Authority has disposed of the appeal preferred by the Writ Petitioner with a direction to abide by the final bill so assessed by the Assessing Officer and the order is issued without prejudice of the right & contention of the writ filed by the appellant consumer being no. 21171(W) of 2006. Against that appellate order, no further appeal was preferred by the petitioner though there is specific provision under the Electricity Act. Till date, no Appeal has been preferred. Hence, the said final assessment order attained finality in the year 2007 itself.

8. Considering the above facts and circumstances, this Court does not find any reason to interfere with the said impugned order. No cogent ground has been stipulated in the writ petition.

9. In view of the above backdrop, the writ petition being **WPA 22062 of 2009** is, thus, **dismissed** without any order as to costs.

10. Connected applications, if any, are also, thus, disposed of.

11. Interim order, if any, stands vacated.

12. Parties to act on the server copy of this order duly downloaded from the official *website* of the Court.

13. Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Ajay Kumar Gupta, J.)