

07-01-2025
Item No.22
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.29653 of 2024
Dipankar Jana
-vs-
The State of West Bengal & Ors.

Mr. Siddhartha Sarkar, adv. ...for the petitioner

Mr. Manas Kumar Sadhu, adv. ...for the State

Name not supplied by WBSEDCL

1. The petitioner alleges that the application made by him for obtaining electricity connection for running submersible pump is pending consideration since 2014. Prayer has been made to direct the concerned authority to consider his application.
2. Learned advocate representing the Distribution Company Limited relies upon the instructions forwarded by AE(E) & Station Manager, Sabang CCC, WBSEDCL, Paschim Medinipur dated December 20, 2024 which mentions that the petitioner applied for new connection by deliberately suppressing the fact that a case was pending against him and that the assessment bill of pilferage of electricity remains outstanding at the time of making application. A quotation was served acting in good faith and the petitioner deposited the quotation amount. An inspection was conducted and it was found that a service connection already existing at the subject premises in the name of Surjya Kanta Jana,

father of the petitioner, and the assessment amount remained unpaid at the time of inspection and deposit of the quotation amount. As such the application for new service connection was put on hold at that stage.

3. The petitioner, thereafter, made applications in 2019 and 2020 and the petitioner was intimated that even after acquittal of the criminal proceeding, the civil liability of the petitioner to pay the due amount does not get relinquished automatically. For this reason, new service connection could not be processed.
4. In March 2023, another FIR was lodged by Sabang police station against the petitioner when unauthorized and dishonest use of electricity was detected for tapping of the incoming service cable of three phase energy meter of WBSEDCL by three number of PVC insulated aluminum cable and copper wires bypassing the proper metering arrangement to run an agricultural pump set at his premises.
5. Provisional assessment bill of Rs.3,28,738/- was served on the petitioner but the amount has remained unpaid till date. Notice was also served upon the petitioner before passing the final order and at the time of hearing. The petitioner denied all the allegations levelled against him. A further inspection was conducted and it was noticed that pilferage of electricity by meter bypassing by the accused person was made.
6. Final assessment bill of Rs.2,45,282/- against pilferage case of 2023 was calculated and forwarded to the petitioner, but no payment has been made till date. The electricity service connection of the petitioner remains

disconnected.

7. As on date, the petitioner has outstanding dues against consumer ID Nos. 200823105 and 212019097 of Rs.2,70,692/- and Rs.1,03,335/- totaling Rs.3,74,027/-. Steps are being taken for recovery of the dues.
8. From the submission made on behalf of both the parties, it appears that the petitioner has been accused of pilferage of electricity and certain amount is due and payable from the petitioner. Despite final bill being raised, the petitioner has not paid the due amount.
9. The writ court being a Court of equity is not inclined to grant any relief in favour of the petitioner keeping in mind his conduct.
10. The writ petition fails and is hereby dismissed.
11. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
12. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

