

02.02.2026
Court No.13
Item No. 5
sp

MAT 5 of 2026
With
CAN 1 of 2026
Krishna Bhunia
Vs.
The State of West Bengal & Ors.

Mr. Soumen Kr. Dutta,
Mr. Subham Dutta,
Mr. Chitrak Biswas.

... For the appellant.

Ms. Sabnam De Bardhan,
Mr. Soumajit Ghosh.

.. For the State.

Mr. Madhusudan Saha Roy,
Mr. Debanjan Chatterjee.

... For the WBSEDCL.

1.The instant appeal is directed against order dated 29th December, 2025 passed by a Single Bench of this Court.

2. The grievance of the appellant is that he was not supplied with the provisional assessment bill and did not get an opportunity to represent against the same.

3.The facts available to this Court are, however, quite different. It appears that a notice of disproportionate use of electricity was issued to the appellant after an inspection was conducted on 7th November, 2025. It was found that during physical inspection, the accused persons were using electricity dishonestly and unauthorizedly by tampering of the seal of the meter and removed the CT wire of the meter to which energy

consumption was, therefore, not recorded properly in the energy meter. There was huge revenue loss suffered by the distribution company.

4. Having regard to the report of the WBSEDCL and the Belda PS, Paschim Medinipore, this Court is of the view that the arguments of the appellant are baseless. On two occasions, notice of preliminary assessment was given to the appellant to which he did not reply to. The respondents, therefore, passed final order of assessment without further reference to the appellant.

5. The appellant, is guilty of approbation and reprobation and misrepresenting the facts before this Court.

6. In that view of the matter, MAT 5 of 2026 shall stand dismissed with costs assessed at Rs. 11,000/- payable by the appellant to the Belda PS as well as the WBSEDCL.

7. In the event costs are not paid within a period of one month from date, the respondents shall be entitled to recover the same under the provisions of the Bengal Public Demand Recovery Act.

8. In view of the dismissal of the main appeal, connected application being CAN 1 of 2026 shall also stand dismissed.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)