

D/L.04.
February 06, 2026.
KAUSHIK

WPA No. 16669 of 2025

Munkir Hossain @ Munkir Dafadar
Vs.
WBSEDCL & Ors.

Md. Salauddin
Md. Ahsanuzzaman
Ms. Tuhina Parvin
... for the petitioners.

Mr. Srijan Nayak
Ms. Rituparna Maitra
... for the WBSEDCL

The petitioner seeks refund of an amount of Rs.1,00,000/-, which has been deposited in an earlier round of proceeding pursuant to an order dated 22nd August, 2013 passed in a prior writ petition being WP 15565(W) of 2013.

There is a chequered history to this litigation inasmuch as the WBSEDCL had found the petitioner to be illegally and unlawfully drawing electricity, *inter alia*, by hooking. In such circumstances, the electricity connection to the petitioner was disconnected and subsequently restored pursuant to orders of Court.

On behalf of WBSEDCL, it is submitted that a staggering amount of approximately Rs.49,25,475/- is due and payable by the petitioner on account of outstanding dues, penalty etc.

On behalf of the petitioner, reliance is placed in respect of a criminal proceeding which culminated in an order dated 7th February, 2025

passed by the Special Court under the Electricity Act, 2013, *inter alia*, acquitting the petitioner.

At the outset, the order dated 7th February, 2025 passed by the Additional District and Sessions Judge, 3rd Court, Suri, Birbhum under Section 135(1)(a) of the Electricity Act, 2003 has no bearing insofar as the claim of WBSEDCL is concerned. This stands on an independent and separate footing.

Be that as it may, it is an admitted position that there is a huge outstanding claim by WBSEDCL both in respect of billing and otherwise.

In view of the above, the entire dispute insofar as the amount of Rs.49,25,475/- is concerned, is remanded to the concerned CGRO to be decided in accordance with law.

It is made clear that there has been no adjudication on the merits of the case and all issues are left open to be decided under the Act and the Rules framed thereunder.

The above exercise is to be completed within a period of eight weeks from the date of communication of this order.

In view of the above, WPA 16669 of 2025 stands disposed of.

(Ravi Krishan Kapur, J.)