D/L.01.
February 17, 2026.
KAUSHIK

WPA No. 26681 of 2025

Mohit Kumar Sonkar
Vs.
CESC Ltd. & Anr.

Mr. Bidyut Halder
Mr. Indranil Halder
Ms. Neha Singh
… for the petitioner.

Dr. Madhusudan Saha Roy
… for the CESC

The matter has appeared at the instance of the petitioner.

It is submitted on behalf of the petitioner that insofar as the order dated 10th February, 2026 records that the 'petitioner upon instruction that he does not want to proceed any further with this application' there is an accidental omission in the recording by Court. This was not the submission made by the petitioner and he had no instructions to withdraw the writ petition.

On behalf of the respondent CESC, it is submitted that the petitioner seeks to wriggle out of their submissions for ulterior reasons in order to prefer an appeal.

The indisputable fact remains that an amount in excess of Rs.2,27,798/- is due and payable and the final assessment bill has not been challenged by the petitioner.

In view of the personal embarrassment of the Advocate appearing on behalf of the petitioner, the order dated 10th February, 2026 stands corrected to the extent that the recording that the ‘petitioner upon instruction submits that he does not want to proceed any further with this application’ stands deleted.

It is clarified that the dismissal of the writ petition was on the ground that there was an amount of approximately Rs.2,27,798/- which was payable by the petitioner in respect of the self-same premises. The above amount remains due and the final assessment bill dated 21st May, 2024 which has already been raised by the CESC Ltd. is in accordance with law.

The writ petitioner has no legally enforceable right which warrants any discretion from Court. In addition, the petitioner had not availed of the statutory alternative remedy of appeal and the writ petition is *ex facie* not maintainable.

The order dated 10 February 2026 stands clarified to above extent.

(Ravi Krishan Kapur, J.)