

D/L.12.
March 20, 2026.
KAUSHIK

WPA No. 26742 of 2007

WBSEDCL
Vs.
The Ombudsman & Ors.

Mr. Sumit Kumar Panja
Mr. Sumit Roy
... for the petitioner

Mr. Raja Saha
Mr. Sanjoy Mukherjee
... for the Ombudsman

The grievance of the petitioner is directed against an order passed by the Ombudsman dated 1 February, 2007.

On behalf of the petitioner, it is submitted that the impugned order is wholly without jurisdiction and has been passed on a misinterpretation of the Act. It is further submitted on behalf of the petitioner that there is no power or jurisdiction with the Ombudsman to decide a dispute under Sections 126 and 127 of the Electricity Act, 2003. In view of the clear mandate of sections 126 and 127 of the Act of 2003, there is no power or jurisdiction vested in the Ombudsman to adjudicate upon the question of theft.

In view of the obvious jurisdictional error committed by the Ombudsman, the impugned order is set aside. WPA 26742 of 2007 stands allowed.

(Ravi Krishan Kapur, J.)