

D/L. 20.
December 22, 2023.
MNS.

WPA No. 22447 of 2023

Sanatan Maity
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Mr. Sajal Kumar Ghosh

... for the petitioner.

Ms. Susmita Chatterjee

...for the WBSEDCL.

1. Learned counsel for the petitioner submits that there was an allegation of pilferage against the petitioner.
2. The petitioner, in the first instance, deposited 50% of the assessed amount. Subsequently an appeal was preferred. In that appeal, the appellate authority directed a revised bill to be issued to the petitioner. It is alleged that, without doing so, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) issued the bill for the entire balance amount in terms of the final order of assessment.
3. It is contended that such action on the part of the WBSEDCL ought to be struck down.

4. Learned counsel for the WBSEDCL submits that the Appellate Authority did not vary or modify and/or set aside the final order of assessment. As such, there is no scope of any deviation from the said assessment.
5. A perusal of the order of the Appellate Authority dated March 29, 2023 annexed at page 27 of the writ petition indicates that the expression that “revised” energy bill for pilferage / loss of electricity to be issued does not carry any special meaning since in any event the Appellate Authority affirmed the final order of assessment.
6. In any case, the WBSEDCL, in terms of the said order, has issued a bill for the balance unpaid amount. Such action on the part of the WBSEDCL, thus, cannot be faulted.
7. Hence, there is no scope of interference in the writ petition.
8. Accordingly, WPA No. 22447 of 2023 is dismissed without any order as to costs.
9. However, nothing in this order shall preclude the WBSEDCL from granting some time to the petitioner to pay of the balance amount.

10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)