

07.05.2026

Ct. No. 7
Sl. No. 14
RANJAN

WPA 9193 of 2026

**SK. KASEM
VS.
THE WEST BENGAL STATE ELECTRICITY
DISTRIBUTION COMPANY LIMITED AND ORS.**

Mr. Sandipan Pal
....for the Petitioner

Mr. Dr. Madhusudan Saha Ray
Mr. Debanjan Chatterjee
....for the WBSEDCL

The grievance of the petitioner is directed against an order of provisional assessment dated 12.08.2025 and the consequent final assessment bill dated 08.09.2025.

It is submitted on behalf of the petitioner that for unavoidable reasons, they were unable to file any statutory appeal against the said above orders and the same was only filed after obtaining help from the Legal Aid.

On behalf of the WBSEDCL, it is submitted that upon an inspection being conducted as on 11.08.2025 it transpires that the petitioner along with three other neighbours was indulging in blatant theft of electricity by illegally hooking.

In view of the effective statutory alternative remedy available under the Electricity Act, 2003 and the decisions rendered in *The West Bengal State Electricity Distribution Company Ltd. & Ors. –*

Vs.- Pranab Kumar Sarkar (MAT/1875/2015) as well as Calcutta Electric Supply Corporation Limited & Anr. -Vs.- Kalavanti Doshi Trust & Ors. 2011(1) CHN (Cal.) 182, the writ petition is not liable to be entertained. The petitioner has chosen not to avail of the statutory alternative efficacious remedy. The time to prefer the statutory appeal has also expired under Section 127 of the Act. In addition, there has been undue and inordinate delay in approaching this Court.

In view of the above, the entire object of the petitioner is trying to revive a dead and stale claim by bypassing the statutory alternative mechanism is untenable.

WPA 9193 of 2026 stands dismissed. However, there shall be no order as to costs.

(RAVI KRISHAN KAPUR, J.)