

09.09.2026
Item No.10 (DL)
Court No.07
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 24227 of 2026

Sk. Mehboob

-Vs-

**West Bengal State Electricity
Distribution Company Limited & Ors.**

Mr. Tulsi Das Ray,
Mr. Tirthankar Roy.
...for the petitioner.

Mr. Debjit Mukherjee.
...for the WBSEDCL.

1. The petitioner assails a final order of assessment passed by the Assessing Officer under Section 126 of the Electricity Act, 2003. The petitioner complains that no notice of hearing was given to the petitioner.
2. The respondent WBSEDCL Authorities vehemently oppose such contention. It is submitted that the petitioner was in the know of the provisional order of assessment which indicated that the petitioner was to file objection to it within 15 days from the date of issuance of the notice and that the Assessing Officer would give the petitioner a hearing if any objection is filed.
3. It is submitted that the petitioner did not file any objection. It is next submitted that a criminal case was also initiated against the petitioner and the petitioner took bail in the said criminal proceeding. In such

regard, attention of the Court is invited to the order dated June 10, 2026 where bail was granted to the petitioner on the condition that 50% of the finally assessed sum would be paid by the petitioner.

4. It is noticed that the final assessment bill is dated September 22, 2025.

5. The petitioner has approached this Court after almost one year while the appellate remedy against the final order of assessment under Section 127 of the 2003 Act is available only if the appellate authority is approached within a month from the date of the final order of assessment.

6. It is well settled that if a person has disabled himself of availing the alternative statutory remedy by his own fault, the same cannot be urged as a ground for a writ petition to be entertained under Article 226 of the Constitution of India.

7. In such view of the matter, the present writ petition is not entertained.

8. WPA 24227 of 2026 stands dismissed.
No costs.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)