

**HIGH COURT OF TRIPURA
AGARTALA**

WA No.11 of 2025

1. Tripura State Electricity Corporation Limited (TSECL), represented by the Chairman-cum-Managing Director, TSECL, Bidyut Bhaban, Banamalipur, Agartala, West Tripura, PIN-799001
2. The Chairman-cum-Managing Director, TSECL, Bidyut Bhaban, Banamalipur, Agartala, West Tripura, PIN-799001
3. The Senior Manager, Jogendranagar Electrical Sub-Division, Office of the Senior Manager, Jogendranagar ESD, TSECL, Jogendranagar, Agartala, West Tripura, PIN-799004

.....Appellant(s);

Versus

1. Smt. Madhavi Biswas Chakraborty, wife of Sri Koushik Chakraborty, Resident of Bankumari, Opposite of Khudiram Road, Jogendranagar, PO-Agartala College, PS- East Agartala, District- West Tripura, PIN-799004
2. Sri Kajal Chakraborty, Father-in-law of Respondent No.1, Residing at Jogendranagar, PS- East Agartala, West Tripura

.....Respondent(s).

For Appellant(s) : Mr. Bibhal Nandi Majumder, Sr. Advocate,
Mr. Dhruva Jyoti Saha, Advocate,
Mr. Kushal Deb, Advocate.

For Respondent(s) : Mr. Saugata Datta, Advocate.

**HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH
HON'BLE MR. JUSTICE S.D. PURKAYASTHA**

Order

18/02/2025

Heard Mr. Bibhal Nandi Majumder, learned senior counsel assisted by Mr. Kushal Deb, learned counsel for the appellants and Mr. Saugata Datta, learned counsel for the respondent No.2/father-in-law.

2. The appellants-Tripura State Electricity Corporation Limited (TSECL) is the distribution company being aggrieved by the interim order dated 09.01.2025 passed by learned Writ Court in IA No.02/2025 in WP(C) No.828/2024 whereby the learned Writ Court has directed restoration of the electrical connection in favour of the petitioner as an interim arrangement with

an observation that the petitioner would continue to pay the electricity bills regularly.

3. Mr. Majumder, learned senior counsel for the appellants, submits that petitioner/respondent No.1 herein is the daughter-in-law. The electricity connection was in the name of her father-in-law/respondent No.2 who has not only sold the premises in question, but also applied for disconnection of the electricity after clearing all past dues. After processing his application in terms of Regulation 8.8 of the Electricity Supply Code Regulation, 2011 under the Tripura Electricity Regulatory Commission (TERC), the electricity was permanently disconnected on 24.09.2024. It is submitted that the provision under Regulation 8.13 of the Electricity Supply Code Regulation, 2011 provides for reconnection in the consumer's installation within two days of payment of past dues, reconnection charges and Service Line Charges, as applicable, for that category of consumer, after getting necessary formalities completed from the consumer. It is further submitted that respondent No.2/father-in-law – the erstwhile consumer – is not interested in restoration of electricity connection. Petitioner/daughter-in-law could at best be an applicant for fresh connection; provision of which is made under Regulation 4.19 of the Electricity Supply Code Regulation, 2011. In such circumstances and the rule position, the appellants are faced with predicament on the question of restoration of the connection in favour of a new person when the erstwhile consumer is no longer interested in its restoration. Since the interim order was passed on the first date though the writ petition is pending, appellants have approached this Court in appeal.

4. The father-in-law/respondent No.2 has appeared on his own. Mr. Saugat Datta, learned counsel submits on instructions that respondent No.2 is no longer interested in restoration of the electricity connection since the property has already been sold and all past dues have been cleared before the electricity has been permanently disconnected. He further submits that there is also a family dispute between respondent No.2 and the writ petitioner/respondent No.1 herein.

5. We have considered the submission of learned senior counsel for the appellants and also respondent No.2 who has appeared on his own.

Grant of electricity connection or disconnection or its restoration is apparently governed by the Electricity Supply Code Regulation, 2011 which is in vogue in the State of Tripura. It appears that the rule position could not be brought to the notice of the learned Writ Court when the interim order was passed. Since the writ petition is pending, instead of interfering with an interim order in writ appeal at this stage when the main matter is *sub judice* before the learned Writ Court, we deem it proper to relegate the appellants to move an application for vacation of the interim order supported with all necessary facts, documents and the relevant rule position. Learned Writ Court is requested to consider the application of the appellants in accordance with law.

6. The appeal stands disposed of with the above observations.

(S.D. PURKAYASTHA), J

(APARESH KUMAR SINGH), CJ

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