

WPA No. 3057 of 2021

Mr.Anirban Majumder	
Mr. Somnath De	...for the Petitioner
Mr. Suman Ghosh	...for the CESC Ltd.
Mr. Tapas Kr. Adhikari	...for the State

The grievance of the petitioner is directed against the refusal of the respondent authorities to record the name of the petitioner as a consumer instead and in place of the petitioner's deceased father.

The Advocate appearing on behalf of the CESC Limited submits that there are civil disputes pending between the petitioner and the heirs of their deceased father and that diverse orders have been passed in the civil suit pending pertaining to the subject premises.

In view of the above, I find that there are serious disputed questions of fact which arise for consideration in the petition and cannot be adjudicated in a writ proceeding.

The CESC Limited is directed to refund the security amount to the petitioner along with accrued interest @6% per annum from the date of deposit of such security amount till the date of payment within a period of two weeks from date.

The petitioner is granted liberty to file a fresh application for a fresh electricity connection in accordance with law if so advised.

For the foregoing reason WPA No. 3057 of 2021 is dismissed.

However, there shall be no order as to costs.

(Ravi Krishan Kapur,J)