

16th August, 2021
(D/L 58)
(SKB)

W.P.A. 9968 of 2021
(Via Video Conference)

Diwakar Ray @ Rai
Versus
The C.E.S.C. Limited Authority and others

Mr. Netai Chandra Saha
... for the petitioner.

Mr. Rajiv Kumar Lall,
Ms. Sumouli Sarkar
...for the C.E.S.C.

The first prayer of the writ petition is a direction upon the C.E.S.C. authorities to provide electricity supply to the flat of the petitioner.

Learned advocate appearing for the C.E.S.C. authorities draws the attention of the court to the writing dated October 6, 2020. He submits that the C.E.S.C. authorities considered the application for installing new connection. An inspection was carried out. On inspection, the C.E.S.C. authorities found that the new connection would mean the splitting of the load. Therefore, C.E.S.C. authorities denied granting new connection. He submits that in the event, the petitioner is aggrieved by such a decision, the petition is required to approach the Ombudsman, which the petitioner did not do.

In the facts of the present case, it appears that the C.E.S.C. authorities rejected the application for new connection on the ground of splitting of load.

In view of the existence of alternative remedy and the petitioner not availing of the same, I am not inclined to interfere under Article 226 of the Constitution of India.

W.P.A.9968 of 2021 is disposed of accordingly.

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

(Debangsu Basak, J.)