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17.06.2021
KC

WPA No.10369 of 2021
(VIA VIDEO CONFERENCE)

Mohanlal Halwai
Vs.
CESC Ltd. & Anr.

Mr. Indranil Halder.
... for the petitioner.

Mr. Somnath Bose
Mr. A Pal
Ms. D. Mukherjee.
... for the CESC Ltd.

The petitioner seeks electricity connection.

Learned advocate for the petitioner submits that,
the petitioner is a co-sharer and is entitled to electricity
connection.

Learned advocate for the CESC Authority relies
upon an order dated February 5, 2021 passed by the Division
Bench in CAN 1 in MAT 73 of 2021 (C.E.S.C. Limited & Anr. Vs.
Asifa Bibi). He submits that, the CESC Authority on receipt
of the application for new connection inspected the property
concerned and found that the petitioner is enjoying electricity
from pre-existing meter. The application for new electricity
connection is of splitting up of load. He submits that, the
CESC Authority rejected the application of the petitioner on

the ground of splitting of load. He refers to the order of the Division Bench and submits that, the petitioner is to approach the Ombudsman.

Learned advocate appearing for the petitioner submits that, in the event the Court is pleased to direct the Ombudsman to consider the grievances of the petitioner, then the petitioner does not have any objection.

Considering the stand of the petitioner and the order dated February 2, 2021 of the Division Bench, it would be appropriate to direct the petitioner to approach the Ombudsman against the letter of rejection of CESC Authority in the present writ petition.

W.P.A. 10369 of 2021 is disposed of accordingly without any order as to costs.

It is clarified that the Court did not enter into the merits of the rival contentions.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Debangsu Basak, J.)