

14-06-2021

ct no. 13

Sl.27

pk/akd

**WPA 10486 of 2021
(Through Video Conference)**

**Samir Banerjee and another
Versus
CESC Limited and another**

Mr. Indranil Halder

...for the petitioners

Mr. Om Narayan Rai

... for the CESC.

Counsel for the petitioners submits that his electricity connection has been disconnected by the respondent no. 1, inter alia, for theft.

An amount of Rs.64,935/- has been stated to be due and payable by the petitioner.

Counsel for the petitioner submits that his client has preferred a statutory appeal under the Electricity Act after deposit. Counsel for the petitioner, therefore, submits that he is entitled to restoration of the supply pending consideration the appeal.

Mr. Om Narayan Rai, learned counsel appearing for the CESC Limited, submits by reference to Regulations 4.2 and 6.2 of the West Bengal Electricity Regulatory Commission Regulation, 2013, that unless the entire sums assessed as due and payable by the licensee is

paid, the petitioner cannot claim restoration of the electricity supply.

This Court notes that the aforesaid Regulations referred to by the counsel for the respondent CESC are indeed applicable to the facts of the case. Unless the petitioner puts in the entire dues, as assessed, with the licensee, electricity supply to him cannot be restored. This Court has also noted the submission of the learned counsel for the petitioner that in view of the pandemic his client is unable to collect money or put in the entire funds. This Court is unable to come to the rescue of the petitioner since the petitioner has been charged with theft of electricity.

In that view of the matter, no relief can be granted to the petitioner except to direct the respondents that in the event the petitioner puts in the entire outstanding dues along with necessary charges with the licensee, the licensee may take steps in accordance with the aforesaid 2013 Regulations and in accordance with law.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order.

(Rajasekhar Mantha, J.)