

20.07.2021.
Item no. 75.
Court No.13
ap

**W.P.A. No. 11116 of 2021
(Through Video Conference)**

**Smt. Sathi Das
Versus
The Calcutta Electric Supply Corporation Limited
& Ors.**

Mr. Ranjan Kali,
Mr. Mitul Chakraborty.

...For the petitioner.

Mr. Jaharlal De,
Ms. Anamika Pandey.

...For the State.

Mr. Madhusudan Saha Ray.

...For the CESC.

The writ petitioner is aggrieved by disconnection of electricity to her meter. The Licensee alleges that she has been supplying electricity to her husband whose independent meter has been disconnected for non-payment of dues.

Admittedly, the independent electricity connection to the petitioner's husband has been disconnected for having run dues to the extent of Rs.2,07,053/-. A final order of assessment has been passed by the CESC on 1st April, 2021 to this effect.

Counsel for the petitioner contends that his client's husband has preferred an appeal against the final order which is disputed by the Counsel for the CESC since the pre-deposit requirement for appeal has not been complied with by the petitioner's husband.

In so far as the allegation against the writ petitioner is concerned, there are admitted dues of Rs.1,388/- pending and payable by the writ petitioner.

The petitioner complains that the dues of her husband cannot be saddled on the petitioner and that they have independent meters and the petitioner is entitled to electricity under her meter upon payment of all necessary charges.

This Court notes that independent electricity connection to the petitioner and her husband may not have been given in accordance with the relevant Rules of the CESC or the Electricity Act, 2003. Suitable steps may be taken by the licensee in that regard in accordance with law.

However, in so far as the electricity connection to the petitioner is concerned, the same is liable to be restored upon payment of the said sum of Rs.1,388/- together with any other reconnection charges, immediately within 48 hours of payment thereof.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)

