

AD. 38.
December 7, 2021.
MNS.

(Through Video Conference)

WPA No. 13799 of 2021

Mohammad Ali
Vs.
CESC Limited and another

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder

... for the petitioner.

Dr. Madhusudan Saha Roy

...for the CESC Limited.

Affidavit-in-opposition filed in Court today be kept
on record.

The petitioner contends that, despite having
applied duly for a new electric connection, the CESC
Limited has refused to give such connection on the
ground of discrepancy in the name of the landlord in the
appropriate column of the application.

Learned counsel for the petitioner further
contends that there is no scope of giving the name of the
tenant since the only option in the proforma of the
application is that of the landlord.

Learned counsel appearing for the CESC Limited
argues that the objection is two-fold; first, the petitioner
wrongly mentioned his own name in the column made
for the landlord and secondly, there is an existing

connection at the said premises, which prevents the CESC Limited from giving a new connection in view of the resultant splitting of load.

Of course, learned counsel for the petitioner refutes such submissions of the CESC Limited.

It is apparent from the application for new connection made by the petitioner that, in the column designated for the landlord's name, the petitioner gave his own name. The contention as regards there being no separate column for the tenant's name to be given does not hold water, since the column provided for the landlord is obviously to avoid future dispute, in the event the applicant herself/himself is not the landlord.

Moreover, since there are separate specific columns for giving the names and other details of the applicant, the existence of the "landlord's name" column is justified and ought to be filled up with the correct name.

However, in the present case, the second objection of the CESC Limited is regarding splitting of load, which is the apprehended result if a new connection is given.

Since the Grievance Redressal Officer (GRO) is the appropriate authority under the Regulations for resolving such disputes, WPA 13799 of 2021 is disposed of by granting liberty to the petitioner to approach the GRO concerned with the issues raised in

the present writ petition. If so approached, the GRO will, upon giving adequate opportunity of hearing to the interested parties, decide the matter in accordance with law independently and without being influenced by any of the observations made herein.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)