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05.02.
2021
Ct. No.23

WPA 10003 of 2020

Md. Faisal Majid
Vs
The C.E.S.C. Ltd. & Anr.

Mr. Indranil Halder
.....For the Petitioner
Mr. Suman Ghosh
.....For the CESC

The petitioner has applied for a new Low Tension (LT) metered connection in the first floor at premises no 37/2/H/9/1, Kabitirtha Sarani, Kolkata – 700 023 (hereinafter referred to as the said premises). It is the case of the petitioner that by a letter dated 8th October, 2020 the petitioner's application was rejected on the ground "supply regretted for split load". The petitioner therefore approached this court for the LT metered connection.

On behalf of the CESC Ltd. it is submitted that the petitioner is receiving electricity from the meter standing in the name of the petitioner's mother as the petitioner is staying with his mother. The granting of a new LT metered connection to the petitioner, according to the CESC Ltd./licensee will amount to splitting of load and/or reduction of load. The CESC Ltd. further submitted that the meter room wherefrom connection has to be given to the petitioner have several meters already installed

thereon and is also in a dilapidated condition. An installation of a new meter may compromise safety situation.

After considering the respective submissions and the materials on record, I find that the petitioner is not a recorded consumer of CESC Ltd. It is also not a case where the petitioner is seeking a second meter for distributing the petitioners' consumption that may be recorded in one meter through two different meters in order to pay at a lesser rate per unit being in a lower slab in respect of the two meters instead being in a higher slab if there was a single meter. There is as such no question of splitting of load or reduction of load. The petitioner's case, also does not also come within the ambit of clause 14 of Regulation 53 published by the West Bengal Electricity Regulatory Commission on 2nd April, 2013 to be referred to electricity Ombudsman for an adjudication.

In the facts and circumstances as aforesaid, I direct CESC Ltd. to raise a quotation on the petitioner within 15th February, 2021. Subject to the petitioner paying the cost and expenses as indicated in the quotation and complying with other requisite formalities, the CESC Ltd. shall grant connection to the petitioner within seven working days from the date of the petitioner making the payment.

So far as the safety aspect is concerned, it is the

duty of the licensee to look into the condition of the meter room and the meter board wherein the service main and the meters are installed. The CESC Ltd. will be free to take such steps to ensure safety as to the meter box and the meter board wherein meters are installed.

Nothing remains further to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)