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12.05.2022
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WPA No.7042 of 2022

Jafre Alam
Vs.
CESC Limited and another

Mr. Bidyut Halder,
Mr. Indranil Halder

.... for the petitioner

Mr. Rajiv Lall

.... for the CESC Limited

Leave is granted to learned counsel appearing for the respondents to appear online.

Learned counsel for the petitioner submits that the CESC Limited has rejected the petitioner's application for getting a new electricity connection at his premises, where the petitioner is a co-owner.

It is submitted that, as per the reason disclosed in the reply by the CESC Limited, the ground of such rejection was that previous applications of the petitioner for obtaining supply of electricity at the same premises were under process.

Learned counsel appearing for the CESC Limited submits that the petitioner has indicated in

paragraph no.4 of the writ petition itself that previous applications were also made by the petitioner. It is submitted that the petitioner has suppressed that the previous applications of the petitioner were rejected on the ground of apprehended splitting of load. It is further submitted that there may be fire and safety hazard in the event a new connection is given at the premises to the petitioner in view of the condition of the existing electrical apparatus at the said premises.

Upon considering the submissions of learned counsel for the parties, it is evident that the CESC Limited has specifically taken objection as regards splitting of load and on other issues. Thus, it would have been more appropriate if the matter was referred to the concerned Grievance Redressal Officer (GRO) for the purpose of resolving the issue, instead of rejecting the petitioner's application outright.

Hence, WPA No.7042 of 2022 is disposed of by granting the petitioner liberty to approach the concerned GRO with the disputes as raised by the CESC Limited, as indicated above, for the purpose of deciding such issue in accordance with law, upon giving adequate opportunity of hearing to both the petitioner as well as the CESC Limited and/or other interested parties, if any.

Such decision shall be taken, preferably within six weeks from the date of reference, without being prejudiced in any manner by any of the observations made herein or in the CESC refusal order.

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.)