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03.01.2022
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WPA No.10238 of 2021

Md. Selim
Vs.
Calcutta Electric Supply Corporation (CESC)
and others

(Via Video Conference)

Md. Bani Israil

.... for the petitioner

Mr. Om Narayan Rai

.... for the CESC

Mr. Anirban Ray,
Mr. Raja Saha,
Mr. Debasish Ghosh

.... for the State

The petitioner has challenged the refusal of the Calcutta Electric Supply Corporation (for short “the CESC”) to give a second service connection at the petitioner’s premises. Learned counsel for the petitioner places reliance on Annexure-P5 at page-28 of the writ petition to indicate that the CESC merely refused the new connection on the ground as stated therein. However, it is submitted that the petitioner is not enjoying any other service connection from the premises.

Learned counsel for the CESC contends that two service connections are not feasible technically for

being given at the same premises, albeit at the behest of different consumers.

It is clear from the refusal to give new connection by the CESC that it was justified in refusing a second service connection in respect of the same premises. As such, there is no scope of interference in the present writ petition. Although the petitioner contends that the CESC has given connections to other persons from the premises as well, the limited conspectus of the writ petition is to ascertain whether the decision-making process of the distribution licensee was faulty in any manner. A blanket allegation that other connections have been given does not justify interference in the present writ petition. In any event, such other connections, even if given, cannot be a charter for the new consumer to approach the distribution licensee for umpteen number of service connections. As such, in view of the refusal of the CESC being valid in law, WPA No.10238 of 2021 is dismissed on contest without, however, any 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.)