

M/L. 172.  
September 30, 2022.  
MNS.

WPA No. 10747 of 2021

Masira Zaman  
Vs.  
State of West Bengal and others

Mr. Sarbananda Sanyal,  
Ms. Poulami Chakraborty

... for the petitioner.

Mr. Debanjan Mukherjee

...for the CESC Limited.

Learned counsel for the petitioner submits that no proper notice was given to the petitioner by the CESC Limited for holding inspection for the purpose of ascertaining the feasibility of giving new electricity connection to the petitioner.

It is submitted that, vide letter dated April 19, 2021, the petitioner was requested to make it convenient to be present personally or through authorised representative between 9 a.m. and 1 p.m. on the next day, that is, April 20, 2021 for such inspection. However, it has been subsequently intimated vide communication dated April 21, 2021 (Annexure P-3 at page 12 of the writ petition) that an inspection was carried out on April 19, 2021 itself, when the petitioner

allegedly identified the unit in the subject premises where the petitioner is seeking LT metered supply. In the said communication, the CESC Limited has also expressed apprehension that there may be a splitting of load in the event such new connection is given to the petitioner.

Learned counsel appearing for the CESC Limited, on instruction, refutes the allegation that no inspection was actually held and submits that it must have been a typographical error creeping up in the communication dated April 21, 2021. That apart, it is submitted that on June 30, 2021, the CESC Limited inspected the premises again, when the petitioner's father was present. As such, it is submitted that there has been no irregularity on the part of the CESC Limited.

Hence, it appears that the CESC Limited has, although not in the strict technical sense, complied with the requirement of law by holding a subsequent inspection as well with regard to the property and is of the final view that there will be splitting of existing load in the event the new connection is given to the petitioner.

In any event, relegating the matter further for a third inspection being held by the CESC Limited would not enure to the benefit of either

party and would cause unnecessary delay in the petitioner's dispute being resolved, since, in any case, the CESC Limited is of the opinion that the splitting of load issue still remains.

As far as the extant Regulations are concerned, the Grievance Redressal Officer (GRO) is the competent authority to decide on such dispute.

Hence, WPA No. 10747 of 2021 is disposed of by granting liberty to the petitioner to refer the dispute regarding new electricity connection being given to the petitioner to the concerned GRO.

If so approached, the concerned GRO shall give an opportunity of hearing to all concerned, including the petitioner and the CESC Limited, and resolve the dispute between the parties in accordance with law, as expeditiously as possible, preferably within November 11, 2022.

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.)