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11.03.2022
TN

WPA No.16572 of 2021

Namita Pal
Vs.
The Calcutta Electric Supply Corporation
Limited and others

Mrs. Juin Dutta Chakraborty
.... for the petitioner

Mr. Om Narayan Rai
.... for the CESC Limited

Learned counsel for the petitioner argues that the petitioner has applied for a new electricity connection at the premises, where she is residing, but the CESC Limited is refusing to give such connection. Learned counsel further contends that although the electric meter existing at the said premises is in the name of her husband, the husband's share has been gifted to the petitioner, for which the petitioner is now entitled to have such new connection in her name.

Learned counsel appearing for the CESC Limited, however, submits that the petitioner has applied for a new service connection at the same

premises, which cannot be given in view of the technical difficulties.

That apart, it is contended that even a metered connection cannot be independently given in the name of the petitioner, since the petitioner's husband's electricity meter is already in operation at the same premises.

Upon going through the materials on record, it is clear that the petitioner has applied for an electricity connection without specifying the exact location of such new installation or proposed installation. It has not been disclosed in the writ petition either that the petitioner's husband is already enjoying an electricity connection at the same premises with that there is any strained relationship between the petitioner and her husband. Hence, there is no scope of giving a second electricity connection in the name of the petitioner at the same premises.

However, needless to say, the petitioner is always at liberty, jointly with her husband, to apply for a transfer of the name of the consumer in respect of the petitioner's husband's meter to the petitioner's name and/or to surrender the husband's existing meter and seek the installation of a new meter in the name of the petitioner herself from the existing meter board position.

If such an application is made, the CESC Limited shall decide the same without being prejudiced in any manner by any of the observations made herein, subject to compliance of all formalities by the petitioner. However, there is no scope of interference in the present writ petition.

Accordingly, WPA No.16572 of 2021 is dismissed with the above liberty, as indicated in the previous observation of this 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.)