

AD-33
Ct No.09
08.08.2022
TN

WPA No. 17467 of 2022

Tarun Naskar
Vs.
CESC Limited and others

Mr. Bidyut Halder,
Mr. Indranil Halder

.... for the petitioner

Dr. Madhusudan Saha Roy

.... for the CESC Limited

Learned counsel for the petitioner contends that the electricity meter-in-question initially stood in the name of the petitioner's grandmother, since deceased. It is submitted that the grandmother Manada Dassi expired on February 19, 1999.

However, subsequently the petitioner has come to know that the electricity meter has been transferred in the name of respondent no.4, who is the son of the erstwhile tenant in the property and does not have any *locus standi* to have such transfer in his name. It is further contended that since the connection is of a commercial nature and the trade license of respondent no.4 has been cancelled, the CESC Limited acted without authority in giving such connection in the name of respondent no.4.

Learned counsel appearing for the CESC Limited submits that the cancellation of trade license,

in respect of which a copy of a document has been annexed to the writ petition at page-18, is of the date January 03, 2022.

However, the transfer was effected in the year 2016. Upon an application for transfer being made by respondent no.4 on September 19, 2016, the transfer was effected. Moreover, it is submitted that the erstwhile consumer Manada Dassi had given a No-Objection in support of such transfer in the name of respondent no.4.

In the same connection, there are several pending objections at the behest of several persons, it is further contended.

Learned counsel for the CESC Limited further submits that the death certificate produced by the petitioner was in the name of a different person than Manada Dassi, namely, one Manu Parui.

It could not be ascertained from any cogent document as to whether Manu Parui and Manada Dassi were the same person.

In reply, learned counsel for the petitioner submits that Manada died long before the alleged consent having been given by her.

Be that as it may, it transpires from the submissions of the parties that there is an existing

dispute from several corners in respect of the transfer of the meter in the name of respondent no.4.

Since the petitioner has already given representations to the CESC Limited objecting to the transfer in favour of Samir Mitra, the respondent no.4 herein, it would suffice if the CESC Limited considers such representation upon giving an opportunity of hearing and notice to all interested persons.

Hence, WPA No. 17467 of 2022 is disposed of by directing the respondent no.3 herein, that is, the Senior Commercial Executive, CESC Limited, South West Regional Office, to consider and dispose of the representations of the petitioner annexed at pages-14 to 17 of the writ petition upon giving adequate opportunity of hearing and notice to all interested persons, including the petitioner, the respondent no.4 and other objectors, if any, as expeditiously as possible, preferably within September 08, 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.)