

S/L. 15.
September 15, 2022.
MNS.

WPA No. 20956 of 2022

Md. Halim
Vs.
Calcutta Electric Supply Corporation
Limited and others

Mr. Shibaji Kumar Das,
Mr. Ahshan Ahmed,
Ms. Rupsa Sreemani

... for the petitioner.

Mr. Somnath Bose

...for the CESC Limited.

Affidavit-of-service filed in Court today be
kept on record.

Learned counsel for the petitioner
contends that the petitioner is living in darkness
due to the inaction on the part of the CESC
Limited. It is submitted that, upon the petitioner
having applied for new electricity service
connection, he was intimated on behalf of the
CESC Limited on April 6, 2022 that the
connection could not be given since the premises
is already enjoying the benefit of existing supply.
Subsequently, however, from the communication
of the CESC Limited dated September 1, 2022, it
is revealed that the unit-in-question has already

been identified by the petitioner. However, still the CESC Limited has not given any such connection and/or held any inspection for such purpose.

Learned counsel for the CESC Limited points out that in Clause- 3 of the communication of the CESC Limited dated September 1, 2022, it was categorically mentioned that the CESC Limited apprehends splitting of load, which would consequently lead to splitting of the consumption of units in order to obtain the benefit of lower charges, including the applicable dues in the event new service connection is given to the premises.

Since it is beyond the scope of the writ court to decide such issues, a better alternative is to relegate the matter to the concerned Grievance Redressal Officer (GRO), who is the appropriate authority in law to deal with such issues.

Accordingly, WPA No. 20956 of 2022 is disposed of by granting the petitioner liberty to approach the concerned GRO having territorial jurisdiction with the dispute as raised in the present writ petition.

Upon being so approached, the said GRO shall decide the issue, upon giving adequate

opportunity of hearing to the petitioner and the CESC Limited and in accordance with law, as expeditiously as possible, preferably within six weeks from the date of reference of the dispute to the GRO.

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.)