

28th September,
2022
(AK)
08

W.P.A 22292 of 2022

Ranjit Mallick
Vs.
The Calcutta Electricity Supply Corporation (CESC) Ltd.
and others

Mr. Sandip Ghosh
Ms. Moumita Ghosh
...for the petitioner.

Mr. Debanjan Mukherji
...for the CESC Limited.

Mr. A. Chatterjee
...for the respondent no.6.

Learned counsel for the petitioner contends that the petitioner is a tenant in respect of the premises-in-question where a new electricity connection was sought by the petitioner.

However, the same was refused by the CESC Limited by a written communication dated June 27, 2022 (Annexure P4 at page 40 of the writ petition) on two-fold grounds of apprehended splitting of existing load and imminent fire and electrical hazard.

Learned counsel appearing for the private respondent no.6 submits that the petitioner is already enjoying electricity from another electricity meter at the premises and that the documents annexed to the writ petition are not authentic.

Of course, such contention is opposed by learned counsel for the petitioner.

Be that as it may, since the petitioner is a tenant in respect of the suit property and is in possession thereof, there cannot be any impediment, as such, in giving new electricity connection in the petitioner's own name.

However, since specific objections as regards splitting of load and fire and electrical hazard have been taken by the CESC Limited, the law provides that the concerned Grievance Redressal Officer (GRO) is the appropriate authority to decide such issues.

Accordingly, WPA No. 22292 of 2022 is disposed of by granting liberty to the petitioner to approach the concerned GRO with the dispute as raised in the present writ petition.

If so approached, the GRO shall give notice of hearing to both the petitioner and private respondents as well as the CESC Limited and decide the issue raised by the petitioner in accordance with law as expeditiously as possible, preferably within eight weeks from the date of such reference being made.

It is made clear that the merits of the respective contentions of the parties have not been entered into by this court and it will be open to the GRO to decide the issues in accordance with law independently.

Since no affidavits have been called for, it is deemed that the allegations made in the writ petition are denied by the respondents.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)