

AD-08
Ct No.09
03.03.2023
TN

WPA No. 4007 of 2023

Sri Ashim Mallick

Vs.

The West Bengal State Electricity Distribution
Company Limited and others

Mr. Goutam Dey,
Mr. D. Sarkar,
Mr. K. Kumar,
Mr. A. Ghosh

.... for the petitioner

Mr. Raj Kumar Basu

.... for the WBSEDCL

Learned counsel for the petitioner submits that the petitioner has applied for an independent electricity connection in a property where the title is arguably both of the mother of the petitioner and the petitioner.

Such connection has been refused by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) on the ground of apprehended splitting of load and for non-grant of Way Leave permission.

Although there is some doubt as to whether the Way Leave permission is necessary in the event the petitioner can *prima facie* show his occupation in the property, inasmuch as the existent meter in the property is concerned, the same may *prima facie* give rise to the apprehension of splitting of load. However,

under the Regulations in force, the concerned Grievance Redressal Officer (GRO) is the competent authority to decide such issue and it would not be appropriate for the writ court to usurp its jurisdiction.

Accordingly, WPA No. 4007 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned GRO with the issues as raised in the present writ petition. If so approached, the GRO shall decide the same in accordance with law upon hearing the petitioner and the WBSEDCL as expeditiously as possible, preferably within six weeks from the reference being made 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.)