

AD-14
Ct No.09
20.03.2023
TN

WPA No. 5050 of 2023

Smt. Minati Banerjee
Vs.
CESC Limited and others

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder,
Ms. Srabanti Das,
Ms. Neha Singh

.... for the petitioner

Mr. Rajiv Lall

.... for the CESC Limited

Learned counsel for the petitioner contends that despite the petitioner having made electricity bill payments in due time, the CESC Limited has threatened disconnection of the petitioner's electricity.

Learned counsel for the petitioner also challenges the veracity of certain bills on the basis of which such disconnection notice was issued.

Learned counsel appearing for the CESC Limited submits that since the matter has been referred to the concerned Grievance Redressal Officer (GRO), although there are several allegations against the petitioner, the same are not being ventilated here in order to avoid prejudging of the issue pending before the GRO, by this court.

Upon a consideration of the materials on record, it is seen that a reference has already been made by the petitioner with regard to the claim of the CESC Limited of arrears of payment of electricity charges by the petitioner which amounts to more than Rs.42,000/-.

The purpose of justice would be sub-served in the event the GRO decides the issue expeditiously. In the meantime, it would only be prudent if the petitioner's electricity supply is not disconnected on the allegation of non-payment of the disputed arrears subject to the petitioner paying at least about half of the amount of claimed made by the CESC Limited.

Accordingly, WPA No. 5050 of 2023 is disposed of by directing the petitioner to deposit an *ad hoc* amount of Rs.20,000/- with the CESC Limited which shall be retained separately for the present by the CESC Limited and not appropriated. The same will only be appropriated or refunded subject to the outcome of the reference before the GRO and in terms of the GRO's order.

The Grievance Redressal Officer, CESC Limited, South West Regional Office (respondent no.3 herein) shall decide the dispute pending at the behest of the petitioner in accordance with law upon giving adequate opportunity of hearing to all concerned as

expeditiously as possible, preferably within eight weeks from the date of communication of this order to the respondent no.3.

In the meantime, till the matter is decided finally by the GRO, the CESC Limited shall not disconnect the electricity supply of the petitioner on the ground of non-payment of the disputed claims subject to the petitioner making the *ad hoc* payment of Rs.20,000/- to the CESC Ltd. within a week from date. If such payment is made, the same shall abide by the ultimate outcome of the GRO 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.)