

15th May,
2023
(AK)
05

W.P.A 10003 of 2023

Sri Prosenjit Mondal
Vs.
CESC Limited and another

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

...for the petitioner.

Mr. Debanjan Mukherjee

...for the CESC
Limited.

Learned counsel appearing for the petitioner seeks to file an exception to the report filed by the CESC Limited.

It is seen from the inspection report that, as per the CESC Limited, no technically suitable space was found for installing a new service inside the shop room of the petitioner.

The CESC Limited has further taken a stand that, for safety reason, it does not provide service inside a shop in case of higher risk of loss of property and personnel.

In view of such specific stand having been taken, even if the petitioner is permitted to refute such report by way of a further rejoinder, the situation will not improve insofar as the limited scope of the disposal of the present writ petition is concerned.

The writ court is handicapped, in the absence of any provision or scope of taking detailed evidence and

deciding the issue on merits, despite the contention raised by the petitioner with regard to the stand of the CESC Limited.

Under the existing Regulations, the concerned Grievance Redressal Officer (GRO) is the competent authority to decide such disputes.

Accordingly, WPA 10003 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned GRO to resolve the disputes arising between the parties.

If such an approach is made, the GRO shall decide the disputes in accordance with law, upon giving an opportunity of hearing to all concerned, as expeditiously as possible, preferably within eight weeks from the date of such reference being made to the GRO.

Adequate opportunity of hearing shall be given by the GRO, if so approached, to both the parties.

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.)