

D/L. 34.
September 1, 2023.
MNS.

WPA No. 13437 of 2023

Bijay Kumar Yadav
Vs.
CESC Limited and another

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder

... for the petitioner.

Ms. Sreemoyee Mitra

...for the CESC Limited.

1. Learned counsel for the petitioner argues that the petitioner is a tenant in respect of the disputed property, where the petitioner sought for an independent electricity connection.
2. Learned counsel for the petitioner further argues that the respondent, that is, the CESC Limited, has taken a plea of apprehended splitting of load, which is not justified in view of the fact that the petitioner, as a tenant, is entitled to an independent electricity connection, by being treated as an independent consumer.
3. Learned counsel for the CESC Limited submits that the petitioner is already

enjoying electricity at the premises and, as such, multiple connection cannot be given to the same unit.

4. In the present case, there is nothing on record to indicate that the relation between the petitioner and his landlord is strained.
5. In fact, the landlord is not even impleaded in the present writ petition, nor has any allegation being made against the landlord to indicate any such stained relationship. Hence, since the petitioner is already enjoying electricity and in the absence of any threat from the landlord, the petitioner cannot *prima facie* be granted separate electricity supply.
6. In any event, since the apprehension of splitting of load has been expressed by the CESC Limited, the same has to be adjudicated by the concerned Grievance Redressal Officer, as contemplated in law.
7. Accordingly, WPA No. 13437 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned

Grievance Redressal Officer for deciding the issue raised in the present writ petition by the petitioner.

8. If so approached, the concerned Grievance Redressal Officer shall decide the same independently, without being unduly prejudiced by the findings above, as expeditiously as possible and in accordance with law, upon giving an opportunity of hearing to all concerned, preferably within six weeks from such approach being made by the petitioner.
9. There will be no order as to costs.
10. 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.)