

AD-40
Ct No.09
14.07.2023
TN

WPA No. 15811 of 2023

Somen Dey

Vs.

The Calcutta Electric Supply Corporation Limited
and others

Mr. Arindam Sen,
Mr. Sagnik Bhattacharya,
Mr. Rishav Gupta

.... for the petitioner

Ms. Sreemoyee Mitra

.... for the CESC Limited

Mr. Bibek Jyoti Basu,
Ms. Dipa Bhattacharya

.... for the State

Learned counsel for the petitioner contends that the petitioner applied for a new electricity connection at the premises where the petitioner is running a shop.

It is submitted that despite the petitioner having a right to get electricity connection, the CESC Limited refused to give such connection, *inter alia*, on the apprehension of the petitioner's intention of splitting of electricity load.

Heard learned counsel for the parties.

Learned counsel for the CESC Limited submits that the Grievance Redressal Officer (GRO) is the appropriate authority to decide such issue.

Learned counsel for the State hands over a copy of a report filed by the Officer-in-Charge of the concerned police station, which is kept on record.

It is seen from the communication made by the CESC Limited that the refusal took effect primarily on two grounds. First, the apprehended intention of splitting of load, and secondly, due to technical considerations, it is extremely dangerous to have more than one source of supply for a particular unit as it may lead to fire and electrical hazards.

Learned counsel for the CESC Limited is justified in contending that the concerned GRO is the appropriate authority under the Regulations to decide such issues.

Accordingly, WPA No. 15811 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned GRO, having jurisdiction to decide such issues, with the complaints made in the present writ petition. If so approached, the GRO shall decide the issues in accordance with law, upon giving opportunity of hearing to all concerned, as expeditiously as possible, positively within six weeks from the date of such reference being made.

It is made clear that the allegations made in the writ petition are denied by the respondents.

On the other hand, the allegations raised by the CESC Limited in its communication to the petitioner are also denied by the petitioner.

All questions will be kept open to be decided by 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.)