

D/L. 4.
November 16, 2023.
MNS.

WPA No. 22464 of 2023

Tapas Paul
Vs.
CESC Limited and another

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder

... for the petitioner.

Mr. Suman Ghosh

...for the CESC Limited.

1. Learned counsel for the petitioner contends that the petitioner's application for obtaining electricity connection on an industrial basis has been refused by the CESC Limited.
2. It is contended that the petitioner has been running a tailoring shop and has installed machines, for which purpose such connection is required.
3. Learned counsel for the CESC Limited places reliance on a communication dated March 2, 2022, a copy of which is handed over in court today, where the CESC Limited cites several reasons for refusing electricity connection, the primary objection being that there is intention of splitting of the existing load, which the

petitioner is enjoying from his mother's meter at the same premises.

4. From the annexure to the writ petition, it transpires further that another application of the petitioner has been rejected due to there being multiple applications.
5. Be that as it may, it is an admitted position that the previous electricity meter, from which the petitioner has been enjoying electricity in the name of the mother of the petitioner, is a domestic connection, whereas the petitioner wants an industrial connection.
6. Thus, it cannot be said that if a new commercial or industrial connection is sought for, the same will tantamount to splitting of load on the ground that there is a pre-existent domestic connection, since the tariff rates for industrial and/or commercial connections are higher than domestic connections and no advantage beneficial to the consumers can be obtained by splitting up of load.
7. Insofar as the other objection of the CESC Limited is concerned, as expressed in court by learned counsel, the CESC Limited apprehends that for running a tailoring shop and installing machines thereof, no industrial

connection but a commercial connection is required.

8. On instruction, learned counsel for the petitioner agrees to apply for a commercial electricity connection.

9. Hence, WPA No. 22464 of 2023 is disposed of by granting liberty to the petitioner to apply afresh for a commercial connection at the premises-in-question.

10. If so approached, the CESC Limited shall process the same and subject to the petitioner's complying with all other formalities give such electricity connection to the petitioner without setting up the objection that there will be splitting of load due to pre-existence of a domestic connection in the name of the petitioner's mother.

11. The CESC Limited shall, subject to compliance of all formalities, give such connection within a fortnight from such compliance.

12. There will be no order as to costs.

13. 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.)