

*Dd* 15 16.12.2024

**MAT/602/2019  
WITH  
IA NO: CAN/1/2019(Old  
No:CAN/4646/2019),  
CAN/2/2019(Old No:CAN/4647/2019)  
  
TABASSUM BEGUM  
VS  
THE CALCUTTA ELECTRIC  
SUPPLY CORPORATION LIMITED & ORS.**

Mr. Chinmoy Guha Thakurta,  
Mr. Shounak Mukhopadhyay,  
Mr. Saikat Dey, Advocates  
... .. For the Appellant

Mr. Somnath Bose, Advocate  
... .. For the CESC Ltd.

1. Department reports a delay of 347 days in making and filing the application.
2. CAN 1 of 2019 (Old No:CAN/4646/2019) is an application for condonation of delay. For the ends of justice, causes shown in the application for condonation of delay are accepted as sufficient. Delay in making and filing the application is condoned. CAN 1 of 2019 is **allowed**.
3. Appeal is directed against an order dated April 4, 2018 passed in WPA 26696 of 2017.
4. Appeal is at the behest of the writ petitioner.
5. Before the learned single Judge, appellant appeared in person. Before us appellant is represented by an advocate.
6. By the impugned order, learned single dismissed the writ petition.

7. Appellant seeks electricity connection at a premise which the appellant claims that she purchased.
8. In respect of the same premises, there subsisted one meter which raked up dues in excess of Rs.4,00,000/-.
9. During the course of hearing of the appeal, Court was informed a sum of Rs.1,90,000/- was paid.
10. Therefore, deducting, Rs.1,90,000/- against the alleged unmetered consumption charges recoverable being Rs.4,24,147/-, a sum of Rs.2,34,147/- remains due and payable.
11. Supplementary affidavit filed in Court which was taken on record shows that the building is yet to be in a position to be habitable.
12. At the very minimum including the appellant before us, there are four occupants of such premises.
13. In such circumstances, it would be appropriate to divide Rs.2,34,147/- by 4 to arrive at the proportional contribution that the appellant before us is required to make for the purpose of supply of electricity in her name.
14. Therefore, a sum of Rs.58,536.75/- became due and payable by the appellant before us. Such sum is rounded off to the next available digit of being Rs.58,537/-. Therefore, a sum of Rs.58,537/- is to be paid by the appellant before us towards obtaining new electricity connection. Apart from this sum, appellant will also pay for the new electricity connection charges.
15. Court is informed that some amount was paid on such aspect. Distribution company now will give credit to the appellant if such payment was already received by the distribution company.

16. Distribution company will proceed to grant electricity connection to the appellant within a period of fortnight from the date of deposit of a sum of Rs.58,537/- along with any other demand for new electricity supply that may be legitimately raised by the distribution company upon the appellant.
17. This order will, however, not prevent the distribution company from realizing the balance of the claim from any other person who is liable for the same.
18. MAT/602/2019 along with connected applications are **disposed of** without any order as to costs.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**