

AD-11
Ct No.09
20.05.2024
TN

WPA No. 12972 of 2024

Sri Tapas Kumar Ghosh
Vs.
The Calcutta Electric Supply Corporation Limited
and others

Mr. Tarak Nath Sarkar

.... for the petitioner

Mr. Debanjan Mukherji

.... for the CESC Limited

1. Affidavit-of-service filed today be kept on record.
2. Heard learned counsel for the parties.
3. The grievance of the petitioner is that the petitioner applied for electricity connection and deposited the quotation amount but the same was refused on the ground of apprehended splitting of load.
4. Learned counsel for the CESC Limited points out that it is evident from the annexures to the writ petition that the application was made in the year 2017 and the same was refused on August 08, 2017 by the CESC Limited on the ground of splitting of load. Although the petitioner approached the concerned Grievance Redressal Officer (GRO) thereafter, the dispute raised before the said officer was not on the issue of splitting of load, but on the ground of the petitioner not getting

electricity although others in the same property are enjoying electricity connection.

5. Since the petitioner's application for electricity connection of 2017 has, in any event, lapsed by efflux of time, the petitioner has the recourse to file a fresh application.
6. In the event the petitioner is refused on the same ground again, upon the CESC Limited ascertaining the current situation at the premises, the remedy of moving the GRO also remains with the petitioner.
7. Accordingly, WPA No. 12972 of 2024 is disposed of by granting liberty to the petitioner to apply afresh for getting electricity connection at the premises-in-question. If such an application is made, the CESC Limited shall process the same afresh and upon ascertaining whether the petitioner can be given electricity connection at the present juncture at the said premises, raise an offer letter in the event such connection can be given. In the event the dispute as to apprehended splitting of load still persists, or if on some other ground the CESC Limited is of the opinion that electricity cannot be given to the petitioner, the CESC Limited shall, in writing, communicate the grounds for such refusal to the petitioner within a fortnight from the filing of the application. However, if it is feasible, the CESC Limited shall give such connection to the

petitioner at the earliest after compliance of all formalities.

8. If the CESC Limited again refuses to give connection on the grounds stated in the written communication, it will be open to the petitioner to approach the concerned GRO with such dispute. Upon such approach being made, it is expected that the said GRO shall decide the issue in accordance with law at the earliest.
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.)