

05.08.2024
Sl. No.90(ML)
srm

W.P.A. No. 17016 of 2024

Md. Ayub Arshad

Versus

CESC Limited & Ors.

Mr. Indranil Halder

...for the Petitioner.

Mr. Subir Sanyal,
Mr. Soham Sanyal

...for the CESC.

The petitioner prayed for supply of a new connection on the basis of a trade licence granted by the Kolkata Municipal Corporation.

The CESC authorities visited the premises and found that the unit identified by the petitioner, in respect of which a new connection was being sought, was enjoying electricity from another source.

It is true that a person in occupation is entitled to supply of electricity. It is equally true that the regulations provide that in the event of detection of an attempt at splitting of loads by an intending consumer, in respect of premises which had already a supply line, the dispute would have to be raised before the Grievance Redressal Officer.

The disputed question of fact as to whether the unit in respect of which the petitioner has obtained the trade licence already enjoys electricity or not is or whether the issue is with regard to splitting of load, cannot be decided by this court.

The petitioner is granted liberty to approach the Grievance Redressal Officer, Calcutta Central District within ten days. The authority shall decide the matter upon granting opportunity of hearing to all concerned, including the District Engineer, CESC Limited, Calcutta Central District, within a period of one month from the date of receipt of the petitioner's application.

If it is found that the petitioner has exclusive occupation in respect of a demarcated unit which does not enjoy any supply from the CESC, steps shall be taken to grant connection to the petitioner, in accordance with law.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)