

24.06.2024  
Sl. No.34(DL)  
srm

**W.P.A. No. 22001 of 2023**

**Saurav Maity & Anr.**

**Versus**

**Calcutta Electric Supply Corporation Limited (CESC) & Ors.**

Mr. Shibaji Kumar Das,  
Mr. Dipendu Sarkar

...for the Petitioners.

Mr. Debanjan Mukherjee

...for the CESC.

1. Despite service, none appears on behalf of the respondent No.6. Affidavit-of-service is taken on record.
2. The petitioners are aggrieved by an order dated August 7, 2023 passed by the Ombudsman. The respondent No.6 had applied for transfer of one of the meters lying in the name of her late Rabindra Nath Maity, to her name. Such prayer was allowed. Thereafter, the petitioners raised the dispute and the authorities reverted the meter back to the name of the deceased Rabindra Nath Maity.
3. The respondent No.6 again challenged such change of name. The matter came up to the High Court at one stage, when a learned Judge directed the grievance redressal officer and the RGRO to decide the issues.

Ultimately, the Ombudsman decided the issue, *inter alia*, holding that even if the dispute with regard to the alleged property and the title suit was decreed in favour of the petitioners, the claim of the respondent No.6 to 1/3<sup>rd</sup> of the property in question, could not be questioned and as such the meter should be transferred to the name of the daughter of the deceased owner.

4. I do not find any blatant illegality in the order impugned.  
All decisions with regard to the grant of electric connection and change of meter to the name of the respondent No.6, will ultimately abide by the result of the civil litigation, which is pending between the parties.
5. The petitioners also could not show that the respondent No.6 did not have any share in the property in question.  
The question before the civil court is whether the deed by which the respondent No.6 allegedly got the share of the mother transferred to her name, was valid or not.
6. The writ petition is, thus, disposed of.
7. There shall be no order as to costs.
8. Parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**