

09.09.2025
Sl. No. 21
AMR
Ct.No.15

WPA 20480 of 2025

Mahendra Das Gupta
-vs.-
CESC Limited & Anr.

Mr. Bidyut Kumar Halder
Mr. Indranil Halder

...for the petitioner

Mr. Suman Ghosh
Mr. Aayush Sharma

...for the CESC Limited

It is quite surprising to note the degree of negligence exhibited by the licensing company in issuing the final order of assessment in this case.

The relevant meter connection is registered in the name of one Jageshwar Das, who is now deceased. The premises was inspected on 27th May 2025. It was during this inspection that unauthorized use of electricity was allegedly detected, and consequently, a provisional order of assessment dated 18th June 2025 was issued.

What is truly astonishing is that the CESC Authority failed to ascertain that the individual in whose name the meter stood was deceased at the time of inspection. Even more surprising is the fact

that the assessment, made against a deceased person, was sought to be served on the deceased individual. As expected, the postal communication was returned with the endorsement "deceased."

The CESC Authority neglected to verify or identify the legal heirs of the consumer and proceeded to issue a final order of assessment against the deceased person. Accordingly, on 18th June 2025, an assessment of ₹73,609/- was imposed against the late Jageshwar Das.

Learned counsel for CESC has argued that it was the petitioner's responsibility to inform CESC of his father's death, which he failed to do. While this obligation on the petitioner's part is acknowledged, the negligent manner in which CESC has handled the matter cannot be overlooked.

It is beyond the comprehension of this Court how, after receiving postal articles returned with the endorsement "deceased," the CESC Authority proceeded to finalize an order of assessment against a dead person.

Such conduct on the part of CESC is wholly unacceptable. The provisional and final orders of assessment issued against a deceased individual

cannot be sustained. Accordingly, the final order of assessment dated 18th June 2025 is hereby set aside.

The petitioner before this Court is the son of the late Jageshwar Das and is seeking reconnection.

The petitioner is directed to submit an online application to the CESC Authority for transferring the meter connection into his name within seven days from the date of this order. Upon receipt of such application, the relevant meter shall be transferred to the petitioner's name and the electricity line will be restored.

Only thereafter, CESC will be at liberty to initiated a de-novo proceedings in accordance with law against the petitioner.

With the foregoing observations and directions, the instant writ petition, being **WPA 20480 of 2025**, stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Kausik Chanda, J.)