

W/L
29
10.03.2026
Ct. No.07
J.Das

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4707 of 2008
CAN 1 of 2016
(Old No. CAN 6825 of 2016)

Smt. Durga Das
vs
The CESC Limited & Ors.

Mr. Soujanya Bandyopadhyay
... For the petitioner

Mr. Debanjan Mukherji
Ms. Tiasha Gupta
...For the respondent nos.1 & 2

1. CAN 1 of 2016 is an application for substitution of the legal heir of Smt. Durga Das the original petitioner (since deceased). It is submitted on behalf of CESC Limited that they have no objection to the formal prayer for substitution being allowed. In view of the above, CAN 1 of 2016 stands allowed. There shall be an order allowing substitution of the applicant in place and stead of Smt. Durga Das. The parties are directed to take necessary steps to effect such an amendment.
2. By consent of the parties the instant writ petition is taken up for hearing.
3. The grievance of the petitioner is directed against non-consideration by the respondent authorities in a case of compensation due to death by electrocution and negligence. It is submitted on

behalf of the petitioner that they are entitled to compensation for death caused purportedly due to electrocution and negligence which is attributable to CESC Limited.

4. On behalf of CESC Limited, it is submitted that under section 161 of the Electricity Act 2003 the matter be referred to the Chief Electrical Inspector.
5. In view of the above, WPA 4707 of 2008 stands disposed of by directing the Chief Electrical Inspector to consider the claim of the petitioner in accordance with law and after giving a right of hearing to all the parties. It is made clear that there has been no expression on the merits of the case and all issues are left open for the Chief Electrical Inspector to decide in accordance with law and without being influenced by any observation in this order.

(Ravi Krishan Kapur, J.)