

09.06.2026

Ct. No. 7
Sl. No. 8
RANJAN

WPA 12642 of 2017

CESC LIMITED AND ANR.

VS.

**THE CHIEF MANAGER, CRM CELL, WEST
BENGAL STATE ELECTRICITY DISTRIBUTION
COMPANY LIMITED AND APPELLATE AUTHORITY
AND ANR.**

Mr. Dr. Madhusudan Saha Ray

....for the Petitioner/CESC LIMITED

Mr. Debjit Mukherjee

....for the Respondent No. 1/WBSEDCL

The grievance of the petitioner is directed against an order dated 17.03.2017 passed by the Chief Engineer, CRM Cell, West Bengal State Electricity Distribution Company Limited being the Appellate Authority.

It is submitted on behalf of the petitioner that no copy of the appeal had been served on them prior to the passing of the impugned order. In such circumstances, there has been violation of the principle of natural justice and the impugned order is liable to be set aside on that ground alone.

On behalf of the private respondent despite this matter having been adjourned on several occasion, the private respondents have been unable to take any instructions in the matter.

On behalf of the WBSEDCL, it is submitted that the petitioner, CESC Limited was represented in the proceedings before the Appellate Authority.

Upon consideration of the submissions made on behalf of the parties, there is nothing to remotely suggest or demonstrate that the writ petitioner had been served with a copy of the appeal.

In view of the above, the entire proceedings before the Appellate Authority are *ex facie* in violation of the principles of natural justice. The impugned order dated 17.03.2017 is set aside. The matter is remanded to the Appellate Authority to hear the appeal afresh, after giving all the parties a right and opportunity of hearing.

The private respondent no. 2 and 3 are directed to serve a copy of the appeal on the CESC Limited.

The above exercise is to be completed preferably within a period of one month from the date of communication of this order and without granting any unnecessary adjournments to either of the parties. To the above extent, WPA 12642 of 2017 stands allowed.

All interim orders stand vacated.

(RAVI KRISHAN KAPUR, J.)