

(1995) 03 NCDRC CK 0035

In the National Consumer Disputes Redressal Commission

PARIMAL KUMAR AON

APPELLANT

Vs

C.E.S.C. Ltd.

RESPONDENT

Date of Decision : 23-03-1995

Acts Referred:

Citation : 1995 3 CPJ 555 : 1996 1 CPC 243

Hon'ble Judges : A.K.Bhattacharjee , Sunil Kanti Kar , S.Dutta J.

Final Decision : Direction passed

Judgement

1. THE petitioner is present. Opposite party is absent. Inspite of the fact that he was given an opportunity to appear and contest the matter C.E.S.C. did not file w/o and appear to contest.

2. HEARD the submission of the petitioner and perused the petitioner. We are of opinion that C.E.S.C. has acted upon by misusing its authority ignoring the norms of natural justice. It is not intelligible to us when there is no outstanding dues and the petitioner partly complied with the arbitrary imposition of charges only to save his electricity connection even the C.E.S.C. did not hesitate to disconnect the supply line. For such arbitrary and unilateral action of the C.E.S.C. the petitioner has already suffered loss. Under such circumstances the Commission cannot be a silent spectator and shut its eyes.

We, therefore, direct that the C.E.S.C. will immediately restore the electricity lines of the meters of the petitioner being Nos. 1141453K, 368645K, 708849K and 894279M within 48 hours from communication of this order. On such compliance the matter will be remanded to C.D.F. for further adjudication. Non-compliance of the order will attract provision of Section 27 of C.P. Act, 1986. There will be no order as to the cost Direction passed.