
(2010) 07 CAL CK 0073
In the Calcutta High Court
Case No : Writ Petition No. 13965 of 2010

Smt. Malina Roy	Vs	APPELLANT
C.E.S.C. Ltd. and Another		RESPONDENT

Date of Decision : 07-07-2010

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : AIR 2010 Cal 190

Hon'ble Judges : Jayanta Kumar Biswas, J

Bench : Single Bench

Advocate : Tanmoy Kar, for the Appellant; N.R. Mukherjee and Debanshu Ghorai for State, for the Respondent

Final Decision : Dismissed

Judgement

Jayanta Kumar Biswas, J.—The Petitioner is alleging that for alleged fault of her husband CESC disconnected electricity to her on July 23, 2008; and that though she is ready and willing to pay the sum of Rs. 429 that is payable by her, CESC is not inclined to restore supply.

2. Counsel for CESC submits that with respect to the premises a large amount is due and payable and that the Petitioner's husband committed certain wrongs.

3. The question is whether for the wrong, if any, committed by the Petitioner's husband the Petitioner, an independent consumer, can be punished.

4. Counsel for CESC submits that if CESC is permitted to proceed against the Petitioner's husband, then it will restore the Petitioner's supply on payment of Rs. 429 that is payable by her.

5. In view of the above-noted situation, I dispose of the Article 226 petition ordering as follows.

6. CESC is free to proceed against anyone who has committed any wrong. It shall restore the Petitioner's supply within 48 hours from the moment of deposit

of Rs. 429, re-connection charges and compliance with other formalities, if any, by the Petitioner. No costs. Certified xerox.