

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

CIVIL APPEAL NO.4797-4798/2019  
(@ OUT OF SLP© No.32546-47/2018

AMAL CHANDRA ROY

Appellant(s)

VERSUS

CHAIRMAN/MANAGING DIRECTOR (WBSEDCL)& ANR.

Respondent(s)

O R D E R

Leave granted.

The complaint filed by the present appellant before the State Commission was allowed and the respondent- Electricity Company (WBSEDCL) was directed to provide connection to the premises of the appellant and also to pay compensation in the sum of Rupees one lakh.

In an appeal preferred therefrom the National Commission set aside the order passed by the State Commission on the ground that the complaint itself was highly belated as the electricity connection was cut more than a decade ago and the complaint having been filed more than 13 years after the disconnection, the said complaint deserved to be dismissed on the ground of delay.

This Court issued notice on 14.12.2018. However, despite service of notice, none entered appearance on behalf of the West Bengal Electricity Company. We therefore, directed that a copy of the petition be served upon the Standing Counsel for the State of West Bengal.

We have heard learned counsel for the appellant and the respondent-State.

We see no reason to interfere with the assessment made by the National Commission. Since the complaint was filed 13 years after the disconnection, no compensation could be claimed. The complaint was rightly held not to be maintainable.

However, the fact remains that the appellant is without any electricity connection. We, therefore, permit the appellant to make a fresh application within 15 days from today and upon such application being made, the respondent-company shall consider the matter favourably subject to the appellant fulfilling all the requisite conditions. If the appellant is entitled, he shall be provided with electricity connection within two weeks from the receipt of the application.

The appeals are allowed in aforesaid terms.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[ INDU MALHOTRA ]

New Delhi,  
MAY 8, 2019

ITEM NO.37

COURT NO.8  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SECTION XIV

Petition(s) for Special Leave to Appeal (C) No(s). 32546-32547/2018

(Arising out of impugned final judgment and order dated 31-01-2018 in FA No. 785/2015 31-01-2018 in FA No. 483/2015 passed by the National Consumers Disputes Redressal Commission, New Delhi)

AMAL CHANDRA ROY

Appellant(s)

VERSUS

CHAIRMAN/ MANAGING DIRECTOR (WSEDCL) & ANR.

Respondent(s)

Date : 08-05-2019 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MS. JUSTICE INDU MALHOTRA

For Appellant(s) Mr. Rajesh Srivastava, AOR  
Mr. Ujjwal Banerjee, Adv.  
Ms. Shubhangi Rathore, Adv.  
Mr. Asit Kumar Rari, Adv.

For Respondent(s) Mr. Suhaan Mukerji, Adv.  
Ms. Astha Sharma, Adv.  
Mr. Amit Verma, Adv.  
Mr. Abhishek Manchanda, Adv.  
Ms. Kajal Dalal, Adv.  
Ms. Dimple Nagpal, Adv.  
M/s PLR Chambers

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeals are allowed in terms of the signed order.

Pending applications, if any, shall also stands disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(RAJINDER KAUR)  
BRANCH OFFICER

(Signed order is placed on the file)