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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3450 of 2020
(Through Video Conference)

M/s. Bengal Industrial Corporation
Vs.
The Calcutta Electric Supply Company Limited & Ors.

Mr. Arindam Chatterjee,
Ms. Lipika Chatterjee
... For the petitioner.
Ms. Nandita Mitra
... For the C.E.S.C. Limited.

Mr. Samrat Chowdhury,
Mr. Sandip Das
...For the respondent no.3.

The petitioner says that the petitioner is a tenant under the respondent no.3, in respect of a office block, measuring 2400 square feet more or less, on the first floor of the eastern building at premises No.19, R. N. Mukherjee Road, Kolkata – 700 001, (hereinafter referred to as the said premises). The petitioner had applied for a new meter in the petitioner's name to be installed and a connection through such new meter. The petitioner refers to a letter written by CESC Limited, the licensee on 23rd December, 2019 and submits that inspection could not be carried out by CESC Limited as access to the meter board was denied. The petitioner prays for appropriate orders so that the

petitioner gets the new connection.

On behalf of CESC Limited it is submitted that unless the meter board/room is accessible, it will not be possible for the officials of the CESC Limited to carry out an inspection and install the meter. It is also submitted by CESC Limited that the respondent no.3 has objected to the new connection.

On behalf of the respondent no.3 it is submitted that it has never objected to the petitioner receiving a electricity connection and they will see that the meter room is accessible if the officials of CESC Limited inform the date and time of their visit before in hand. The private respondent further submits that the civil rights of the private respondent vis-à-vis tenancy of the petitioner should not be affected in any manner by the installation of the new meter and giving connection to the petitioner.

Since the petitioner has made payment of all cost and charges, the CESC Limited should install a new meter in the name of the petitioner and give connection for enjoyment of electricity at the said premises now under the occupation of the petitioner. The officials of the CESC Limited shall be present at the said premises for installing the meter and giving a connection to the petitioner on 22nd December, 2020 at 11.30 am. The respondent no.3 shall render all co-operation so that the officials of CESC Limited

can install the meter at the existing meter board at the premises in question and give connection to the petitioner.

The Inspector-in-Charge, Hare Street Police Station, being the respondent no.4 is directed to ensure that there is no breach of peace on the date and time fixed in this order for installation of new meter and effecting connection to the petitioner by CESC Limited.

It is made clear that the petitioner shall comply with all statutory requirements for availing the new connection prior to the date and time fixed for installing the meter and continue to pay the regular electricity bills as may be raised by CESC Limited from time to time against electricity consumed by the petitioner through the new meter. The installation of new meter and granting of connection to the petitioner shall not create, abridge or extinguish any civil right vis-a-vis the petitioner and the respondent no.3 in connection with the said premises.

Nothing remains further to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondent.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon usual undertakings.

(Arindam Mukherjee, J.)