

Court No. 24
14.09.2020
(Item No. 34)
(SB / S. Banerjee)

W.P.A. 6678 of 2020
(Old No. W.P. 6678 (W) of 2020)
CAN 1 of 2020
(Old No. CAN 5556 of 2020)

Birsingha Vidyasagar Society & Anr.
Vs.
CESC Limited & Ors.

(Through Video Conference)

Ms. Trina Sen
... For the petitioners

Mr. Suman Ghosh ... For the CESC

Mr. Somnath Ganguli
Mr. Parashar Baidya
Mr. Santanu Ghosal
.... For Respondent No. 3

C.A.N. 1 of 2020 (Old No. 5556 of 2020) is disposed by taking up the writ petition for consideration.

Petitioners seek electricity supply.

CESC and the private respondents are represented.

Learned counsel appearing for the CESC submits that CESC officials went to inspect the locale when the officials of the CESC were prevented by the private respondents from doing so.

Learned counsel for the private respondent submits that, there are civil suits pending including a suit for eviction. There exists a prepaid meter in the name of the petitioners. The petitioners can recharge such meter and obtain electricity therefrom.

Admittedly, the petitioners are in settled possession. There are civil disputes between the private parties which are receiving the consideration of the

appropriate fora. So far as electricity supply is concerned, the petitioners being in settled possession are entitled to the same. There is no subsisting meter in the name of the petitioners. The private respondents cannot force the petitioners to obtain electricity supply from a pre-paid meter. Since, the petitioners seek electricity supply in his own name, CESC authority will provide the same. In the event the CESC officials face any resistance in inspecting and supplying the electricity to the petitioners at any stage, CESC officials are at liberty to approach the police authorities. The officer-in-charge, local police station is directed to ensure that no breach of peace takes place when CESC officials are at the locale for the purpose of giving electricity supply to the petitioners.

Doubtless, the petitioners will pay all costs, expenses and charges for the supply of new connection. Upon the petitioners depositing the entire costs, expenses and charges for the new connection, the CESC authorities will endeavour to effect electric supply to the petitioners within seven days thereof.

W.P.A. 6678 of 2020 (Old No. W.P. 6678 (W) of 2020) is disposed of.

(Debangsu Basak, J.)