

08.10.2020.
Supplementary list Item no. 5.
Court No.5
ap

**W.P.A. No. 8039 of 2020
(Through Video Conference)**

**Partha Pratim Das & Ors.
Versus
CESC Limited & Ors.**

Mr. Shiv Shankar Banerjee.
...For the petitioners.

Mr. Tanmoy Mukherjee.
...For the respondent no.7.

Mr. Madhusudan Saha Roy.
...For the CESC.

The present controversy in this writ petition is that the petitioners and CESC is facing stiff resistance from the private respondent being the respondent no.7 in shifting a meter in the name of the petitioner no.1 himself in the tenanted premises in respect of which a civil litigation is pending between the petitioners and the private respondent being the owner of the premises.

I have not really understood the reason of objection given by the private respondent in the name of enhancing of load due to shifting of the service line and the private respondent's apprehension is that because of such shifting of service line, the load will increase.

I also do not understand how the private respondent will be prejudiced if the load is increased.

Counsel for the CESC has submitted that they are facing stiff resistance and has pointed me out that the Officer-in-charge of the local Police Station has been made a party meaning indirectly thereby that police protection is required for shifting of the service connection.

I allow this writ application with a direction upon the Officer-in-charge, Howrah Police Station to keep watch on the premises on the days when CESC will work in the premises for shifting of the service connection from one wall to the opposite wall of the premises and I restrain the respondent no.7 from making any obstruction in the work of CESC in any manner whatsoever.

I direct the Officer-in-charge, Howrah Police Station to take appropriate steps against the respondent no.7 being the owner of the premises, if any resistance is given in respect of the shifting of the electricity connection of the petitioners.

In view of the aforesaid, the instant writ application is allowed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Abhijit Gangopadhyay, J.)

