

27
24.12.2020
sb
Ct23

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8892 of 2020
(Through Video Conference)

Md. Shamim
Vs.
C.E.S.C. Limited & Ors.

Mr. Madan Murari Verma,
Mr. Abhishek Verma
... For the petitioner.

Ms. Smita Das De
.... For C.E.S.C.

Ms. Sima Adhikari
Mr. K. Naskar
... For the State.

Pursuant to the order dated 7th December, 2020, it is submitted by the C.E.S.C. Limited that a new meter has been installed at premises no.B/14/H/24, Bibi Bagan Lane, Kolkata – 700 015. The C.E.S.C. Limited has filed a report of compliance, signed by the District Engineer, namely, Pratap Pal. The said report is taken on record.

On behalf of C.E.S.C. Limited, it is submitted that the petitioner was enjoying electricity connection through a meter and has got a second meter installed in his name. The existing meter, according to C.E.S.C. Limited, has to be removed. The C.E.S.C. Limited has been prevented by the petitioner from removing the old meter upon the new meter being installed.

On behalf of the petitioner it is submitted that the category of two types of meters are different. One meter is for domestic low-tension supply and the other is for 440-volt supply.

These allegations and counter allegations cannot be gone into in this writ petition as the same will enhance the scope of the writ petition beyond the reliefs claimed. It will be open to the parties to take such legal steps as may be advised. It is, however, made clear that installation of meter or a new connection through the same to the petitioner will neither create any right, title and interest over and in respect the premises no.B/14/H/24, Bibi Bagan Lane, Kolkata – 700 015, in any manner whatsoever nor shall abridge or extinguish any existing right of the petitioner in respect thereof.

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 respondents.

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

(Arindam Mukherjee, J.)