

AD. 27.
December 21, 2021.
MNS.

(Through Video Conference)

WPA No. 12472 of 2021

Anupam Maity
Vs.
The State of West Bengal and others

Mr. Gautam Guria

... for the petitioner.

Mr. Debanjan Mukherjee

...for the CESC Limited.

Mr. Rajarshi Basu,
Mr. Parikshit Goswami

...for the State.

Affidavit-of-service filed in Court today be kept on record.

Despite substantial service, none appears on behalf of the private respondents, although the petitioner, the CESC Limited, as well as the State are represented through counsel.

The grievance of the petitioner is that, despite having made a representation for shifting of the existing electric meter of the petitioner, the CESC Limited is sitting tight over the matter.

It is submitted that an obstruction is being given by the other residents of the premises, being the private respondents primarily, to shifting the connection from the existing meter board location although, due to recurring

disputes between the petitioner and the private respondents, the shifting has become essential.

Learned counsel appearing for the CESC Limited submits that, unless a formal application is made for shifting of meter by the petitioner, there is no scope or opportunity for the CESC Limited to look into the same. That apart, the petitioner also has to submit, within the purview of the extant Regulations, a 'no objection' from the other residents of the premises for such shifting of meter.

Learned counsel appearing for the State contends that there is no inaction on the part of the police authorities in the matter.

Upon hearing learned counsel for the parties, it is evident that the present writ petition is premature in the sense that a mere representation by the petitioner, in whatever format, is insufficient to initiate any steps by the CESC Limited.

Accordingly, WPA 12472 of 2021 is disposed of by granting the petitioner liberty to apply for shifting of electric meter before the CESC Limited in accordance with law, subject to compliance of all formalities and to a reality check by the CESC as regards the feasibility of such shifting of meter, the CESC Limited shall shift the petitioner's electric meter, if found feasible, to some other place than its present location.

It is made clear that the respective contentions of the parties have not been gone into on merits and it will be open to the CESC Limited to consider such application, if made by the petitioner, in accordance with law.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)