

12.02.2021
rc/ct.no.10
Item No.22

WPA No. 24123 of 2019

Mr. Biswarup Biswas
Mr. Gora Chand Samanta ...for the petitioner

Ms. Aparajita Rao ...for the CESC Ltd.

Mr. Shataroop Purkayastha
..for the private respondent

Affidavit in reply filed on behalf of the petitioner is taken on record.

The grievance of the petitioners is for removal of an electric meter from the premises of the petitioner.

It is submitted by the Counsel appearing on behalf of the petitioners that the private respondents are not the tenants of the petitioners.

The CESC Limited and private respondent are represented.

In an affidavit filed by the CESC Limited it is alleged that an electric meter was installed at the behest of the predecessor-in-interest of the petitioner. The particulars of all the electric meters situated at the premises of the petitioner are morefully set out in paragraph 4(b) of the affidavit.

The private respondents are represented and submit that the petition has been filed only to harass the private respondents.

It appears from the affidavit in opposition filed on behalf of the CESC Limited that the petitioner is a

subsequent transferee whose predecessor-in-interest had voluntarily permitted the installation of the electric meters. Accordingly, there is no scope of passing any order in favour of the petitioner.

I also find that there is no public element whatsoever involved in this writ petition and the same has been filed for oblique and collateral purposes.

Moreover, in view of the submissions of the Advocate appearing on behalf of the petitioner, I am of the view that there are personal civil disputes by and between the petitioners and the private respondents and a writ petitioner is not the appropriate remedy to resolve such disputes.

In view of the above, this writ petition being WPA No. 24123 of 2019 stands dismissed.

There will be, however, no order as to costs.

(Ravi Krishan Kapur,J)