

18.02.2021
p.b.
Sl. No.13.

CPAN 649 of 2020
In
W.P.A. 29458 of 2017

Chiranjib Manna
Vs.
Prasenjit Ghatak & Ors.

Mr. Abhra Mukherjee,
Mr. Souradeep Dutta.
.....for the petitioner.
Dr. M. Saha Roy.
.....for the CESC.
Mr. Piyush Chaturvedi,
Mr. A. Mukherjee.
.....for the alleged contemnor.

The affidavit of service filed in Court today be kept
with the record.

The petitioner complains of violation of the order
dated January 16, 2020 passed in the writ petition.

Learned advocate appearing for the petitioner
submits that the Court directed supply of electricity to the
petitioner. He submits that the CESC authority installed
the meter at his premises when the electric meter ought to
have been installed at the premises of the writ petitioner.
The CESC acted the violation of the order. The meter
should be removed from premises no.62 and placed in
premises no.62A.

The petitioner claims that the distribution company
acted beyond the scope of the order dated January 16,
2018 passed in the writ petition deliberately and installed

a meter at his premises when the electric meter ought to have been installed at the premises of the writ petitioner.

The CESC authorities and the private parties are represented.

Learned advocate appearing on behalf of the CESC submits that the two premises is claimed to be divided horizontally. He submits that there is no electric meter board on the first floor of the premises.

This Court exercising jurisdiction under the provisions of the Contempt of Courts Act, 1971 and Article 215 of the Constitution of India need not enter into the arena as to whether the electric meter had been installed at the premises of the writ petitioner in terms of the order dated January 16, 2018, or not in the facts of the present case. The private parties are related to each other as father and son. They are litigating at various forum. There is no dispute that the writ petitioner is now receiving electric supply. The writ petitioner is in settled possession of the first floor which is claimed to be premises no.62A. There is no meter board at the first floor.

CPAN 649 of 2020 is, accordingly, disposed of.

(Debangsu Basak, J.)