

11th February,
2022
(AK)
03

WPA 1733 of 2022

(Via Video Conference)

Ratan Saha
Vs.
The State of West Bengal and others

Ms. Madhurima Sarkar
Mr. Munshi Ashiq Elahi
Ms. Poulomi Dutta
...for the petitioner.

Ms. Sima Adhikari
Ms. Kakali Naskar
...for the State.

Mr. Om Narayan Rai
Mr. Anirban Tarafdar
...for the CESC Limited.

Mr. Kushal Chatterjee
Mr. Debrup Choudhury
...for the private respondent no.5.

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

Pursuant to a previous direction of this court passed in W.P. 20854 (W) of 2018, the CESC Limited gave an electric connection to the present private respondent (petitioner in the previous writ petition) at the right address of the petitioner, pursuant to the petitioner's application for such new supply of electricity, although the address of the petitioner was mentioned wrongly in the said writ petition itself.

As such, learned counsel for the petitioner submits that such error may be noted.

It is next submitted by learned counsel for the petitioner, by placing reliance on a photograph annexed at page-27 of the present writ petition, that is, WPA 1733 of 2022, that the meter has been installed by the CESC personnel at a precarious position which may cause jeopardy to the residents of the premises, including children.

However, there is no necessity to record any error in the previous writ petition, in view of the order passed by this court being clear as to the electric supply being given by the CESC Limited as per the petitioner's application, which has duly been complied with by the CESC Limited.

As far as the concern of safety goes, it is submitted by learned counsel for the CESC Limited that the said company has the charter as a licensee, only to have access up to the meter board position.

The wires emanating therefrom are beyond the jurisdiction from the CESC Limited.

In view of such submission, it is for the petitioner himself to take appropriate remedial measures with the help of a private electrician for the purpose of securing the safety of the wiring system at the premises.

Needless to say, the petitioner is at liberty to do so even without any order of the court.

As such, the writ petition is found to be frivolous and unnecessary.

Accordingly, WPA 1733 of 2022 is dismissed with the above observations.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)