

AD-35
Ct No.09
10.08.2022
TN

WPA No. 14470 of 2022

Suchitra Debnath and others
Vs.
Calcutta Electricity Supply Corporation
Limited and another

Mr. Sourojit Dasgupta,
Mr. Soumya Nag
.... for the petitioners

Mr. Debanjan Mukherji
.... for the CESC Limited

Affidavit-of-service filed in court today be kept on record. None appears for the private respondent no.2 at the time of call.

Learned counsel for the petitioners submits that the connection from which the petitioners were enjoying electricity stood in the name of the private respondent no.2/landlady. However, subsequently the same was disconnected by the Distribution Licensee. However, since the petitioners are residing at the said premises in the capacity of tenants and are suffering for lack of electricity, which is a basic necessity, the petitioners pray for restoration of the electricity. It is further submitted that the petitioners could have made an application for independent electricity connection, but since they cannot furnish the Aadhaar card identification number of the landlady, in

whose name the erstwhile meter stood, as per the technical requirements stipulated in the official website of the CESC Ltd., such application could not be made.

Learned counsel appearing for the Calcutta Electricity Supply Corporation Limited (CESC Limited) submits that the present dispute is civil in nature between a landlady and a tenant and the CESC Limited cannot restore the electricity supply at the behest of the petitioners, who are not the consumers. Learned counsel for the CESC Limited also submits that upon an inspection, the CESC personnel found that out of the nine electricity meters at the premises-in-question, eight are still live and one was disconnected, as indicated above.

Upon hearing learned counsel for the parties, it transpires that the relief sought in the writ petition is restoration of electricity. However, the petitioners cannot, at their behest, seek a restoration of the electricity to the meter of the respondent no. 2-landlady.

However, as rightly submitted by learned counsel for the petitioners, the reliefs can be moulded to grant the lesser relief of granting liberty to the petitioners to apply for independent electricity connection at the premises in their own name. If so

applied, the CESC Limited shall provide such connection in accordance with law and subject to compliance of due formalities by the petitioners.

It is made clear that in the event the petitioners have any technical difficulty in making such online application, for the absence of identification number of the Aadhaar card of the erstwhile consumer or otherwise, it will be open to the petitioners to approach the office of the CESC Limited and the officials of the latter will immediately cooperate and assist the petitioners in making such application, with or without the Aadhaar card identification number of the erstwhile consumer.

Accordingly, WPA No. 14470 of 2022 is disposed of.

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.)