

1st September,
2022
(AK)
14

W.P.A 18186 of 2022

Ranjit Das
Vs.
Calcutta Electricity Supply Corporation Ltd. and others

Mr. Diptomoy Talukder
...for the petitioner.

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

Mr. Naba Kumar Das
Mr. Subhabrata Das
...for the State.

Mr. Anit Dey
...for the respondent nos.5 & 6.

Leave is granted to the learned advocate-on-record for the petitioner to correct the cause title of the writ petition inasmuch as the police station mentioned against the addresses of respondent nos. 4, 5 and 6 be rectified by introducing the word “Nager Bazar” instead of “Dum Dum” and to rectify the name of the respondent no.2.

Learned counsel for the petitioner alleges that due to resistance put up by the private respondents, the CESC Limited is not being able to give a new electricity connection to the petitioner in the petitioner’s name independently.

Learned counsel for the CESC Limited submits that subject to compliance of all formalities, the CESC Limited has no other objection to give such electricity connection to the petitioner.

Learned counsel appearing for the private respondents, on instruction, submits that the private respondents have no objection to a new electricity connection being given to the petitioner from the existing meter board position.

Although learned counsel for the petitioner has placed reliance on Order No.17 dated July 18, 2018, passed by the Civil Judge, Senior Division, Second Court at Barasat, District-North 24 Parganas in Title Suit no.418 of 2016, whereby the CESC Limited were directed to install a sub-meter in the suit premises irrespective of any objection raised by the plaintiffs, that is, the present private respondents, at the cost of the defendant (present petitioner), it is submitted by learned counsel for the CESC Limited that a new electricity meter, not sub-meter, will be installed in the name of the petitioner but from the existing meter board position and subject to compliance of formalities.

Upon hearing learned counsel for the parties, particularly since the private respondents do not raise any objection to such electricity connection being given to the petitioner, we have to read down Order No.17 dated July 18, 2018 to the effect that the civil court granted liberty to the present petitioner to get a new electricity connection from the CESC Limited irrespective of any objection raised by the present private respondents.

The phrase “install a sub-meter”, as used in the order, does not restrict the CESC Limited to giving a new

connection only from a sub-meter and not a separate meter, in view of the tenor of the said order of the civil court.

Hence, WPA 18186 of 2022 is disposed of by directing the CESC Limited to give electricity connection to the petitioner at the existing meter board position, subject to compliance of all formalities and payments being made by the petitioner, irrespective of any objection from any quarter, within a week from date.

In the event any objection is raised to the CESC Limited personnel giving such connection, it will be open to the CESC personnel to approach respondent no.4, the Officer-in-Charge of the Nager Bazar Police Station, to give necessary police assistance subject to payment of costs by the petitioner.

In the event the police are so required, the respondent no.4 will be at liberty to break open any padlock for the limited purpose of giving access to the CESC personnel for giving such new connection to the petitioner.

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.)