

24th November,
2022
(AK)
04

W.P.A 25137 of 2022

Kalpana Sen
Vs.
Calcutta Electric Supply Corporation Limited and others

Mr. Arunava Pati
Mr. S.C. Dhara
Mr. Nitish Samanta
...for the petitioner.

Ms. Sumouli Sarkar
...for the CESC Limited.

Ms. Tuli Sinha
...for the State.

Learned counsel for the petitioner contends that service has not yet been completed on the private respondents.

However, the CESC Limited and the State are represented by counsel.

It transpires from the submission of learned counsel for the CESC Limited as well as a perusal of the reliefs sought in the writ petition and the materials annexed thereto, that initially, pursuant to a direction of court, the CESC Limited had held an inspection and had duly given an electricity connection to the petitioner.

However, subsequently the petitioner is having, allegedly, certain difficulties in getting electricity

connection from her meter due to resistance by the private respondents.

As rightly pointed out by learned counsel for the CESC Limited, the said dispute is entirely within the domain of civil and criminal law and does not pertain to any inaction or alleged inaction on the part of the Distribution Licensee.

As such, the present writ petition is not maintainable in law and in its present form.

Accordingly, WPA 25137 of 2022 is disposed of by granting liberty to the petitioner to approach the law enforcement authorities and/or the appropriate criminal court and/or the competent civil court for raising the disputes of criminal and civil nature which have arisen between the petitioner and the private respondents.

If such steps are taken by the petitioner, nothing in this order shall prevent the appropriate forum/court from taking necessary action on the basis of the complaint of the petitioner without being influenced in any manner by any of the observations made herein.

The report filed by the learned advocate for the State, authored by the Inspector-in-Charge of the Uttarpara Police Station, be kept on record.

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.)