

ORDER SHEET
WPO/2987/2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

M/S BIRESWAR DUTT ESTATES PVT LTD. AND ANR
VS
CESC AND ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 29th November, 2022.

Appearance:
Ms. Sipra Majumder, Adv.
. . .for the petitioner.

Ms. Sreemoyee Mitra, Adv.
. . .for the C.E.S.C.

The Court: The grievance of the petitioner is that despite the petitioners having demolished a portion, that is, the roof of a particular building by virtue of a Court's order, even on the petitioners' request, the CESC Ltd. has not yet disconnected the electricity supply to the premises.

Learned counsel for the CESC Ltd. submits that there are other electricity connections than the demolished portion in the disputed property. Since the roof has been demolished, the live connection to the said portion has already been discharged by the CESC Ltd. However, it is contended that the other wirings, which are still live, are internal, which are beyond the domain of authority of the CESC Ltd., since the CESC Ltd. has jurisdiction only up to the main connection.

In such view of the matter, WPO 2987 of 2022 is disposed of by granting liberty to the petitioners to have the internal wirings, if any, leading to the already demolished portion, discharged/disconnected internally in order to ensure safety, if need be.

Inasmuch as the demolished roof is concerned, since the CESC Ltd. has already discharged the electricity connection to the said portion, no further order need be passed in that regard.

It is made clear, however, that this order shall not prejudice the rights of any third party or other inhabitants of the premises, if any, in any manner.

No order as to costs.

Urgent certified website copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)

SP/