

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 2993 of 2023

Dharmesh Lakhani
Vs.
The District Engineer, CESC Ltd. & Ors.

Mr. Abjijit Roy,
Mr. Abhradip Maity,
Ms. Pooja Basak
... for the petitioner

Dr. Madhusudan Saha Roy
...for the CESC Limited

Mr. Rabindra Narayan Dutta,
Mr. Rabindra Nath Chakraborty
...for the State

Learned counsel appearing for the petitioner submits that, behind the back of the petitioner and at the behest of the private respondents, the petitioner's electricity connection was surrendered and disconnected by the Calcutta Electric Supply Corporation Limited (CESC Limited).

Learned counsel appearing for the CESC Limited controverts such contention and submits that the petitioner himself had sworn an affidavit agreeing to transfer the meter in the name of the private respondents, upon which such transfer was effected. Subsequently, the private respondents sought transfer

of the electricity meter to some other premises, due to which the disconnection was effected.

Learned counsel appearing for the petitioner, however, refutes such contention to the effect that the petitioner ever swore any affidavit in favour of the private respondents.

In any event, in his usual fairness, learned counsel appearing for the CESC Limited submits on instruction that the CESC Limited is agreeable to restore electricity supply of the petitioner in the event the petitioner deposits nominal reconnection charges.

Since the dispute can be resolved even without interfering into the merits of the rights and contentions of the rival parties, W.P.A. No. 2993 of 2023 is disposed of by directing the petitioner to deposit the necessary reconnection charges and apply for reconnection, upon which the CESC Limited shall give such reconnection within a week from the deposit of reconnection charges along with the application by the present petitioner.

It is, however, made clear that this order shall be without prejudice to the rights and the contentions of the petitioner and the private respondents in the pending *lis* before the civil court and/or any other proceeding.

Leave is granted to the petitioner to file affidavit of service during the course of the day.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)