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01.05.2023
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In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. No. 7640 of 2023

Sukla Kar

-vs.-

The Calcutta Electric Supply
Corporation Limited & Ors.

Mr. Arindam Sen,
Mr. Rishav Gupta
...for the petitioner

Mr. Debanjan Mukherjee
...for the CESC Limited

Mr. Subhajit Karmakar
...for the respondent no. 6

The report filed today by learned counsel for the CESC Limited be kept on record.

It is evident from the said report that the private respondent also agreed to construction of a meter room, where the existing connections at the premises-in-question can be shifted. Such space has been marked in a rough sketch-map annexed with the report.

Upon query of court, learned counsel for the private respondent agrees, on instruction, to join the petitioner in applying for shifting their meters to the proposed alternative position.

Appreciating such fairness of the private respondent, W.P.A. No. 7640 of 2023 is disposed of

by granting liberty to the petitioner and the private respondent to make a proper application in the appropriate format for the shifting of the existing meters of the parties.

Upon such application being made and due formalities being complied with, the CESC Limited shall immediately shift such meter to the new meter room.

It is expected that the CESC Limited shall undertake such work expeditiously and complete the same preferably within three weeks from the date of compliance of all due formalities by the applicants.

The cost of such shifting shall be borne by the petitioner, since it is the petitioner who has asked for such shifting.

It has been submitted on instruction by the private respondent that the remaining consumers at the premises, featuring in the list provided in the report by the CESC Limited, are all near relatives of the private respondent, who have since expired.

Hence, there cannot be any further impediment in complying with the order as passed above.

The shifting per se shall not create any special right or equity in favour of either of the parties.

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.)