

4th September,
2023
(AK)
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W.P.A 18983 of 2023

Ananda Pachal
Vs.
CESC Limited and others

Mr. Bidyut Kr. Halder
Mr. Indranil Halder
Ms. Neha Singh

...for the petitioner.

Ms. Aparajita Rao
Ms. Ankana Basu

...for the CESC Limited.

Mr. Pinaki Ranjan Mitra

...for the private respondent nos. 3 to 5.

1. Learned counsel for the petitioner argues that the mother of the petitioner was the original owner of the property.
2. Subsequently, a deed of gift was made by the mother, by which the concerned portion of the property, which houses the electricity meters at the premises, was allocated to the petitioner.
3. Now the petitioner seeks a shifting of the electricity meter of the private respondents to the latter's portion, from the said meter room.
4. Learned counsel for the CESC Limited submits that the CESC Limited has no issues with such a proposition

but the concerned consumer whose meter is to be shifted, that is, the respondent no.3, has to apply.

5. Learned counsel for the respondents submits that although a portion of the property was gifted to the petitioner, the petitioner did not obtain separate mutation and the property stands as it is.

6. Since the CESC Limited is otherwise agreeable to shift the electricity meter and give a new service connection in the name of the private respondents, it is immaterial whether mutation has been obtained by the petitioner or not.

7. It is only fair and proper that, since the portion where the meter room now stands falls within the property gifted to the petitioner, the electricity meter of the private respondent no.3 is transferred to the latter's portion of the premises.

8. The said arrangement would be proper from all perspectives, including avoidance of any future dispute between the parties regarding the electricity supply.

9. Hence, WPA 18983 of 2023 is disposed of by directing the respondent no.3 to apply for shifting of her electricity connection from its present location within the premises gifted to the petitioner to the portion exclusively occupied by the respondent no.3.

10. Upon such an application being made, the CESC Limited shall effect such shifting, by way of giving a new

service connection to the respondent no.3 at the latter's portion of the premises.

11. The shifting charges shall be borne by the present petitioner.

12. Initially the respondent no.3 shall make such application within a week from date and upon the CESC Limited issuing a quotation, the respondent no.3 shall serve a copy of the same for the petitioner to make the necessary payments.

13. Upon all formalities being thus complied with, the CESC Limited shall effect the shifting of electricity connection to the portion of the respondent no.3, preferably within a fortnight from the date of completion of compliance of formalities.

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.)