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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 21763 of 2023

Indranil Nath & Ors.
Vs.
Calcutta Electricity Supply
Company Limited & Ors.

Mr. Imdadul Biswas
...for the petitioners

Ms. M. Rao
...for the CESC Limited

Mr. Debarshi Brahma
...for the respondent no. 6

1. Learned counsel appearing for the petitioners submits that the petitioners applied for electricity connection to the petitioners' shop rooms. However, the same could not be provided by the CESC Limited because the respondent no. 6 is not agreeable to concede to such connections being given from a block meter standing in the name of the respondent no. 6.

2. Learned counsel appearing for the CESC Limited submits that already there is an existing block meter in the name of the respondent no. 6 from which the petitioners' requirements are to be catered to.

3. By placing reliance on Clause 18 of Regulation 53 of the West Bengal Electricity Regulatory

Commission dated April 02, 2013, it is contended that as per such clause, in bustees, markets, etc. where it may not be possible to segregate one consumer from an adjacent consumer because of existence of a very large number of consumers in relatively small premises, block meter is to be used for the purpose of giving electricity supply to all the said consumers.

4. Learned counsel appearing for the private respondent submits that the petitioners are not licensees or otherwise related to the respondent no.6.

5. However, it transpires from the said Regulation cited by learned counsel for the CESC Limited that there is no necessity of the other consumers to be in any jural relationship with the person in whose name the meter stands.

6. The block meter is only for the purpose of enabling proper connection being given to all consumers in a congested area in order to take care of apprehended electricity and fire hazards. Thus, the objection of the respondent no. 6 does not have any leg to stand on.

7. Hence, W.P.A. No. 21763 of 2023 is allowed, thereby directing the CESC Limited to give electricity connection to the petitioners from the block meter existing in the vicinity of the shop

rooms of the petitioners, subject to compliance of all formalities by the petitioners, within a fortnight from the date of such compliance by the petitioners.

8. It is made clear that if any objection is raised by the respondent no. 6 or his men or agents, the CESC personnel will be at liberty to approach the respondent no. 5, that is, the Officer-in-Charge, Rabindranagar Police Station, who will grant adequate police assistance in that regard for the purpose of enabling the CESC personnel to give such connections to the petitioners from the block meter at the cost of the petitioners.

9. There will be no order as to costs.

10. 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.