

AD-39  
Ct No.09  
19.04.2023  
TN

WPA No. 27920 of 2022

Anil Kumar Das and others  
Vs.  
Calcutta Electric Supply Corporation  
Limited and others

Ms. Nayaab Mulla,  
Mr. M.A. Samad

.... for the petitioners

Mr. Debanjan Mukherji

.... for the CESC Limited

Mr. Tulshi Das Roy,  
Mr. Tirthankar Roy

... for the respondent nos.3 to 7

Mr. Bani Brata Datta

.... for the respondent no.8

Mr. Swapan Kr. Pal

....for the State

It is submitted by learned counsel for the petitioners that the second required signature in the affidavits of undertaking filed by the respondents are missing in five out of the total six undertakings filed in court.

However, it is seen that the vacant space left for the signature of the Advocate is underneath an endorsement that all annexures are legible. Since

there are no annexures to any of the undertakings, such signature becomes redundant.

Hence, the undertakings filed are in form.

It is seen from the undertakings that the respondent nos. 3 to 8 have categorically undertaken on oath that they shall give access to the CESC staff and/or officer on each and every occasion when the CESC personnel visit the premises, as mentioned thereinabove, to the meter room for inspection upon prior notice to the said authors of the undertakings, in writing or through SMS, and it is further undertaken that the deponents in the undertakings shall keep the passage clean to the best of their ability or through their representative to facilitate the access of the CESC personnel to the meter room for the inspection.

Since the fulcrum of the dispute was that the CESC personnel were not getting access to the meter room, thereby jeopardizing the interest of all the consumers, including the petitioners, the filing of the undertakings has taken care of such issue.

Hence, WPA No. 27920 of 2022 is disposed of in terms of paragraph no. 2 of each of the said undertakings by keeping on record the written undertakings filed by the respondent nos. 3 to 8.

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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)