

29th February,
2024
(AK)
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W.P.A 2320 of 2024

Md. Rustam
Vs.
Calcutta Electric Supply Corporation Limited and others

Mr. Farooque Ali
...for the petitioner.

Ms. Aparajita Rao
Mr. Debanjan Mukherjee
...for the CESC Limited.

Mr. Jyotiprakash Chatterjee
Mr. Nilanjan Banerjee
...for the State.

Mr. Animesh Paul
...for the respondent no.3.

1. Affidavit-of-service filed in court today be kept on record.
2. The petitioner is a tenant in respect of the premises where he has sought electricity connection.
3. Due to resistance by the private respondent-landlord the connection could not be given by the CESC Limited, which is the consistent stand taken by the CESC as well.
4. Learned counsel for the private respondent/landlord submits that the petitioner is in occupation of certain tin sheds in a different portion of the property-in-question than where the main building is situated.

5. The existing meter board is situated in the building and the landlord apprehends that the petitioner shall be taking his electricity meter at the building itself.
6. The landlord does not have any objection if the connection is given to the petitioner's portion.
7. The issue between the petitioner and the private respondent can be resolved if the petitioner installs the main switch, which is required to be installed as per the CESC Limited, in the portion occupied by the petitioner but the electricity connection is given from the existing meter board position at the building.
8. Accordingly, WPA 2320 of 2024 is disposed of by directing the CESC Limited to give a new electricity metered connection to the petitioner from the existing meter board position at the premises subject to the petitioner installing a main switch in his occupied portion of the premises.
9. Immediately upon installing such main switch, the petitioner shall communicate of the same to the CESC Limited upon which the CESC Limited shall, within a fortnight thereafter, give such connection to the petitioner from the existing meter board position.
10. In the event any obstruction is raised by the private respondent and/or his men and agents, the CESC

Limited shall approach the respondent no.2, Officer-in-Charge of the Beniapukur Police Station, upon which the latter shall give adequate police protection to the CESC personnel at the cost of the petitioner, if necessary by removing any hindrance, padlock or other obstacles if put up by the respondent no.3 to prevent the access of the CESC Limited.

11. Parties shall act on the server copy of this order without insisting upon prior production of a certified copy for the purpose of compliance.
12. 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.)