

June 26, 2024
Sl. No.19
Court No.9
s.biswas

WPA 5678 of 2024

Ramesh Roy
vs.
CESC Limited and others

Mr. Sourav Guchhait

... for the petitioner

Ms. Sreemoyee Mitra

... for the CESC Ltd.

1. Affidavit of service is taken on record.
Respondent no.4 has refused service. Refusal is a good service. The writ petition is taken up for hearing in the absence of the respondent no.4.
2. The petitioner alleges that the respondent no.4 has disconnected the sub-meter which was catering to the requirement of electricity for the petitioner's factory premises. The respondent no.4 is the sister-in-law and there appears to be a family feud. The supply line granted by the CESC Limited is existing and alive.
3. The petitioner and the respondent no.4 had entered into an agreement that from the main supply line the petitioner would enjoy electrical connection through a sub-meter. As dispute arose, the respondent no.4 allegedly disconnected the sub-meter. The CESC Limited submits that the personal arrangement between the respondent no.4 and the petitioner with regard to enjoyment of electricity through the sub-meter was not within the domain of the CESC authorities.

4. Under such circumstances, no direction can be passed upon the CESC Limited to reconnect the sub-meter. The CESC has not disconnected the electricity supply. However, if the petitioner is in occupation of the property then the licensing authority is mandated by law to supply connection to the occupier.
5. The petitioner has not applied for connection through a separate meter. Unless any application is made, the CESC cannot process the issue. The other issue whether the petitioner is actually in occupation of the any portion of the premises in question or not, will be decided when the application is received and inspection is made. The petitioner is granted liberty to approach the CESC authorities with the prayer for supply of a new meter. The petitioner will apply in the Form A in online mode. Thereafter, the CESC Limited shall process the matter, upon causing inspection and taking necessary steps, subject to the checks and balances they have to ensure before providing such connection.
6. The entire exercise shall be completed within four months from the date of communication of this order.
7. The writ petition stands disposed of.
8. All parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)