

July 15, 2024
Sl. No.132
Court No.9
s.biswas

WPA 6894 of 2024

Smt. Asha Shaw
vs.
The Calcutta Electric Supply Corporation Limited
and others

Mr. Nitai Cha. Saha
Mr. Abhijit C. Majumder

... for the petitioner

Mr. Debanjan Mukherjee

... for the CESC

1. The petitioner had prayed for interrupted supply of electricity to her shop at premises no.63A, Purna Das Road, P.S. Rabindra Sarobar. The petitioner alleged that the landlord had interfered with the connection and had disconnected the same.
2. The petitioner submits that the CESC Limited was bound to ensure that the supply reached the petitioner's premises as the petitioner was a consumer and entitled to electricity upon payment of all the charges.
3. On the earlier occasion, an inspection was directed by this court. It appears that the respondent no.5 was aware of the order of this court. She was also present when the CESC authority went to inspect and opened the meter room to enable the CESC authority to inspect the premises and the meter board position. The said respondent does not appear before this court in

spite of service. The CESC authorities have filed a report which indicates that the connection to the petitioner's meter is alive. Beyond the meter, the CESC Limited does not have any function. If anyone had disconnected the supply or there are interruptions because of the defect in the wiring, it is for the petitioner to repair or refix the same.

4. Regulation 7.2 of the West Bengal Electricity Regulatory Commission (Electricity Supply) Regulation, 2013 provides that the service line between the main switch and the meter would be owned and maintained by the consumer.
5. Under such circumstances, the CESC has expressed its inability to either shift the meter to the petitioner's shop or repair and fix the problem with the internal wiring/installation.
6. Under such circumstances, the CESC authorities have not failed to discharge their duty. The petitioner has an electric connection provided by the CESC Limited. The CESC Limited continues to maintain that the said connection is alive. The petitioner has the right to enjoy such electricity from the said meter. The petitioner is entitled to repair the wiring if there is any problem in the installation, upon notice to the CESC authorities and the police. Such direction is being given only to protect the petitioner from any untoward

situation that may arise. The petitioner is also granted liberty to approach the appropriate forum, in accordance with law, if anyone objects or interferes with the petitioner's connection. The petitioner may also intimate the police authority of such nuisance and threat.

7. Accordingly, the writ petition stands disposed of.
8. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)