

29.07.2024
Sl. No.262(DL)
srm

W.P.A. No. 7859 of 2024
Basundhara Tower Private Limited & Anr.
Versus
The State of West Bengal & Ors.

Mr. Aniruddha Chatterjee,
Mr. Sounak Bhattacharya,
Mr. Chandra Nath Sarkar,
Mr. Sounak Mandal,
Mr. Abhirup Halder,
Mr. Anirban Saha Ray

...for the Petitioners.

Mr. Nara Narayan Ganguly

...for the State-respondents.

Mr. Debanjan Mukherjee

...for the CESC Ltd.

Report filed by the CESC authorities is taken on record.

It appears that the CESC authorities do not have any objection to restore connection to the petitioners, provided the petitioners submit the test certificate and ensures that the existing meter room can be used for such purpose. It is submitted that, on inspection it was found that the meter room was being used as a shop.

Mr. Chatterjee submits that the meter is exactly in the same position as it was. No shop was being run from the said premises in question.

As it has been submitted by the petitioners that there is an existing meter room in which the meter had been installed, the CESC authorities are directed to restore supply to the existing meter of the petitioners. No shop shall be run from such room. It is submitted that other compliances have been fulfilled. Such connection shall be given within a period of two weeks from the date of communication of this order, at the petitioners' risk.

The CESC Ltd. apprehends that if the supply is restored to the meter in its original position there may be safety and security issues. The petitioners submit that the said room is not being used as a shop room.

Under such circumstances, the duty of the CESC Ltd. will be discharged upon reconnection. The petitioners are willing to get the connection at the same meter board position, as it was earlier given. The CESC authorities should not be held responsible for any accident.

The petitioners will ensure that they observe the statutory compliances required in order to run the shop.

As the issue of safety and security is of prime importance, the petitioners will adopt all kinds of safety measures. The investigation and other proceedings with regard to the fire breakout and related issues shall continue independently and this order shall not create any impact on the same.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)