

D/L 9  
18.11.2024  
Court No.14  
PRADIP

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 11853 of 2024

Kousik Paul & Anr.  
Vs.  
C.E.S.C Ltd. & Ors.

*Mr. Kishore Mukherjee*

*...for the Petitioners.*

*Mr. Om Narayan Rai*  
*Mr. Debanjan Mukherjee*

*...for CESC Ltd.*

*Mr. Suddhadev Adak*  
*Ms. Richa Pramanik*

*...for the State*

*Mr. Upendra Roy*  
*Ms. Kanchan Roy*

*...for respondent nos. 7, 8 & 9*

1. The petitioners pray for shifting of the electric supply connection from their private premises to the premises of the private respondents. The subject meters stand in the name of the private respondent no. 5 and the predecessor-in-interest of the private respondent nos. 4, 6 and 7. Both the electric meters are live and electricity is being enjoyed by the private respondents from the aforesaid two meters.
2. The subject property was initially an unpartitioned one. On partition of the premises, the petitioners purchased one of the portions of the partitioned property. The portion where the earlier electricity connection of the subject unpartitioned premises stood, fell in the portion which was purchased by the petitioners. Out of five connections of the unpartitioned property, three of them have already been shifted from the earlier position to the premises of the private respondents and the balance two are required to be shifted right now.
3. Learned advocate representing the private respondents submits, upon instruction that, his clients are not willing to

bear the charges of shifting the electric meters. Learned advocate for the petitioners submits, upon instruction that, his clients will take the responsibility for making the necessary payments for shifting the subject two meters.

4. In view of the above, the instant writ petition is disposed of by directing the respondent nos. 4, 5, 6 and 7 to make application for shifting of the subject two electric meters which are currently placed in the premises of the petitioners within 22<sup>nd</sup> November, 2024. On receipt of the application necessary follow up steps shall be taken by CESC Ltd.
5. In the event application for shifting is not made by the respondent nos. 4 to 7 within the time limit specified above, then it will be open for CESC Limited to take steps for shifting the meters to the premises of the private respondents upon payment of necessary charges to be borne by the petitioners.
6. The shifting shall be made within a period of four weeks from the date of compliance of all statutory formalities.
7. It will be open for CESC Limited to seek necessary police assistance at the time of shifting the meters from the premises of the petitioners to the premises of the private respondents subject to payment of charges by the petitioners.
8. Leave granted to the learned advocate on record of the private respondent nos. 4, 5, 6 and 7 to file the Vakalatnama in the Department by today.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**