

09.09.2024
Court No.09
Item no.10
CP

WPA No. 14669 of 2024

Preeti Manek

Vs.

The Calcutta Electric Supply Corporation Limited & ors.

Mr. Suman Sankar Chatterjee

Ms. Rinku Sen

Mr. Sagnik Bhattacharya

.... for the Petitioner.

Dr. Madhusudan Saha Roy

....for the CESC Ltd.

Despite service, none appears on behalf of the respondent no. 5.

The petitioner contends that the ground floor of the premises situated at premises no. 9/3B, Fern Road, Kolkata 700019, was purchased by the petitioner. The petitioner is already enjoying electricity. The petitioner wants the connection from a separate meter board position, upon enhancement of load. The petitioner applied before the CESC Ltd. for additional load of 8.71 KW.

Upon inspection, it was found that necessary payments were to be made. Demand was raised and the petitioner paid the charges. Thereafter, the men of the CESC were deputed on various occasions to execute the work of enhancement of load. The other residents of the premises objected.

It is stated that underground cables are to be laid through a private passage, for the enhancement of the load. The job could not be completed due to the resistance by the respondent no. 5 and her husband. The authority also contends that the petitioner is required to comply with some other requirements, before the work can be completed.

This court does not find that the authorities are unwilling to enhance the load. They are willing to do so by drawing an underground cable, leading to the meter of the petitioner through a private passage.

It appears that the petitioner is also required to comply with certain directions. The only problem is the resistance by the respondent no.5 and her husband. The said respondent is not before the court, despite service.

This court finds that the petitioner is already a consumer and has been granted electricity by the CESC. The petitioner prayed for enhancement of the load which the CESC authority finds can be allowed, provided underground cables can be drawn through a private passage.

Under such circumstances, the writ petition is disposed of with a direction upon the District Engineer, Calcutta South District, CESC to cause an inspection in the presence of the police, the petitioner and the respondent no. 5 and ensure that the

additional load can be granted to the petitioner's supply in the best possible manner without disturbing any other resident in the building.

It is made clear that the proposal to draw the underground cable should be explored. If any excavation work or digging is to be carried out in the premises for the purpose of enhancement of the load, upon completion of the same, the petitioner shall restore back the premises to its original position at his own cost.

At the time of inspection, the police authorities shall provide all assistance to the CESC Ltd. at the cost of the petitioner.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Needless to mention, the CESC Ltd. shall complete the work, upon the petitioner complying with all necessary formalities.

The writ petition is disposed of accordingly.

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.)