

Item No.15
09.09.2024
Court. No. 9
GB

W.P.A. 19208 of 2024

Smt. Srabani Pathak & Anr.
Vs.
CESC Limited & Ors.

Mr. Debabrata Roy,
Mr. Oishik Chatterjee

...for the Petitioners.

Dr. Madhusudan Saha Roy

...for the CESC.

Ms. Kakali Samajpaty,
Ms. Anima Das Chakraborty

...for the State.

Ms. Susmita Chatterjee,
Mr. Kaustav Bhattacharjee,
Mr. Priyankar Jana

...for the Respondent No.4.

The writ petition has been filed contending that the CESC authorities had disconnected the supply of the petitioners, locked the meter room and delivered the keys to the police authorities. The CESC authorities have denied such contention on the ground that in the process of granting connection to the respondent no.4 pursuant to the order of this Court, several inspections were sought to be made, but as the door had been locked by the petitioners, the common meter board position could not be accessed. On the direction of a coordinate Bench, the CESC authorities were permitted to access the meter board position with police help. The police authorities broke open the lock. The connection was accordingly given to the respondent no.4. The other specific contention of the CESC authorities is that the meter is live, in the records of the CESC. No

disconnections of the petitioners' meter had been effected by the CESC.

Ms. Chatterjee, learned advocate for the respondent no.4 submits that the respondent no.4 apprehends that once the keys are returned to the petitioners, they will again disconnect the supply.

Tampering with the lines of the CESC is a punishable offence. Thus, Ms. Chatterjee's contention that the petitioners will disconnect the supply of the respondent No.4, is not accepted at this stage. Such action of the petitioners would be a punishable offence and the police authorities are already present before this Court. The police authorities will handover one key to the petitioner and another key to the respondent no.4, upon obtaining undertaking from each of them that they will allow the CESC authorities to access the meter board position for inspection, repair and taking the meter readings and also not cause any damage to each other's connection.

Accordingly, the writ petition is disposed of. The CESC authorities have made specific submissions that they have not disconnected the supply of the petitioners. The petitioners are entitled to reconnect their own supply from the meter, to their premises. The respondent No.4 shall not access the meter board position, unless the CESC authorities require their presence to take the reading.

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

(Shampa Sarkar, J.)