

Item No.33
19.08.2024
Court. No. 9
GB

W.P.A. 20084 of 2024

Md. Shabbir

Vs.

The CESC Limited & Ors.

*Mr. Abdul Hamid Molla,
Mr. Mukteswar Maity,
Md. Abdul Halim,
Ms. Nupur Chaudhuri*

...for the Petitioner.

Dr. Madhusudan Saha Roy

...for the CESC.

*Mr. Suman Sengupta,
Ms. Amrita Panja Moulick*

...for the State.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The writ petition is disposed of with a direction upon the Manager Mains (Power) CESC Ltd., having his office at 13, Biplabi Anukul Chandra Street, Kolkata – 700072 to intimate the petitioner why new connection cannot be granted from the existing high tension line.
3. The learned advocate for the CESC submits that connection to the petitioner cannot be granted as the high tension line caters to one meter in the commercial complex from which several persons have been given their respective supply by the owner/landlord/consumer. The meter stands in the name of such consumer. The bills are raised in his name. The arrangements between the owner/landlord and the occupiers are that the cost of the electricity

consumed by the occupier shall be paid to the landlord as per their tenancy agreement.

4. The petitioner contends that the landlord had disconnected the supply line. Hence, the petitioner is without electricity. It appears that a civil suit is also pending between the landlord and the petitioner, being Title Suit No.22 of 2022.
5. Under such circumstances, the writ court cannot direct the authority to grant supply, contrary to law. Thus, the Manager Mains (Power) shall hear the grievance of the petitioner, and pass necessary order. The consumer/landlord shall also be heard. A reasoned order shall be passed and communicated to the petitioner. The petitioner may also make similar prayer in the pending civil suit.
6. The entire exercise shall be completed within a period of two months from receipt of the petitioner's grievance.
7. Accordingly, the writ petition is disposed of.
8. However, there will be no order as to costs.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)