

24.09.2024
Court No.09
Item no.19
CP

WPA No. 20655 of 2024
With
CAN 1 of 2024

Rajesh Chowdhury
Vs.
The Calcutta Electric Supply Corporation Ltd. & Ors.

Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh
....for the petitioner.

Mr. Debanjan Mukherjee
.....for the CESC Ltd.

Ms. Bratati Ray Chowdhury
Ms. Barnali Gupta
.....for the State.

Mr. Anirban Das
.....for the respondent no. 4.

The report of the police authorities as also the
CESC authorities are taken on record.

CAN 1 of 2024 is an application for recalling of
the order dated August 20, 2024. According to the
respondent no. 4, the applicant, service of the writ
petition had not been effected upon him and this
court should clarify such position by correcting the
order accordingly.

The order dated August 20, 2024 is modified to
the extent that the first sentence of the order be
deleted.

CAN 1 of 2024 is allowed accordingly.

The grievance of the petitioner has been addressed. The CESC authorities have reconnected the supply which was allegedly disconnected by the respondent no. 4, the landlord.

The landlord may initiate any proceeding against the tenant before the appropriate court, but interference with the electrical supply is an offence.

The writ petition is disposed of with a direction upon the CESC authorities to ensure that supply of electricity is uninterrupted. However, for reasons permissible in law, the authority can disconnect. At this moment, the connection is in the name of the petitioner. The respondent no. 4 cannot prevent the authorities from accessing the meter board position. No equity will be created in favour of the petitioner.

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.)