

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

27. 11. 2024

WPA 27414 of 2024

BP/AGM

Avijit Bhandary

Sl. 15

Vs.

Court No. 14

**Calcutta Electric Supply Corporation
Limited & Ors.**

Mr. Dibyendu Chatterjee.
Mr. Pritam Majumdar.
Mr. Rahul Deb Goenka.
Mr. Mainak Singha Barma.
Ms. Ananya Chakraborty.

..for the petitioner

Dr. Madhusudan Saha Roy.

..for CESC Limited.

Mr. Swapan Kumar Paul.

... For the respondent no. 4.

Mr. Antony Patrick Gomes.

... For the respondent no. 11.

Mr. Swapan Kumar Debnath.

... For the respondent no. 12.

1. The petitioner applied for obtaining a commercial electric connection in a car parking space. The petitioner has annexed the title deed in respect of the place where the electric connection has been sought for. The schedule of the deed mentions that the same is a car parking space.
2. The petitioner has annexed the Certificate of Enlistment issued by the Kolkata Municipal Corporation in the name of Avijit Bhandary for running two-wheeler business and the business address is 154, Ho-Chi Minh Sarani, Kolkata – 700 061 i.e the address where the electricity connection

has been sought for.

3. Application for electricity connection was made in the name of Bhandary Motor (EV) and the load sought for was 0.50 KW (COM).
4. The petitioner claims to have paid the amount quoted by CESC Limited for obtaining the connection and alleges that despite receipt of the money, connection has not been given.
5. As per the direction of the Court, Kolkata Municipal Corporation was impleaded in the writ petition and the Corporation is represented by the learned counsel.
6. It has been submitted that trade license was issued on the basis of an online application made by the petitioner. Documents were not inspected prior to issuance of the Certificate of Enlistment.
7. It has been submitted that there is no provision in law for issuing Certificate of Enlistment for carrying on trade or business from a place earmarked as car parking space/garage.
8. Learned advocate for the Corporation submits that steps in accordance with law will be initiated by the Corporation for taking steps to deal with the said Certificate of Enlistment.
9. Learned advocate representing CESC Limited submits, upon instruction that, no separate electricity connection can be given in a garage/car parking space. Specific submission is that commercial connection cannot be given in a

garage/car parking space.

10. None represents the objectors.

11.As it appears that CESC Limited has submitted that no separate commercial electricity connection can be given in a car parking space/garage, accordingly, the prayer of the petitioner for grant of electricity in response to the application made for obtaining commercial connection cannot be allowed.

12. If the petitioner seeks domestic connection, it will be open for the petitioner to make appropriate application which will be considered by the authority in accordance with law.

13.Report filed by the O.C. Parnasree PS signed on 27th November, 2024 be kept with the records.

14.The writ petition stands disposed of.

15.Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)

