

Form No. J.(2)
Item No. 5
AB

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 14448 of 2025

Anirban Ganguly
Vs.
The CESC Ltd. & Ors.

For the petitioner	:	Mr.Dilip Kumar Saila, Advocate
For State respondent	:	Ms. Gopa Roy, Advocate
For C.E.S.C.	:	Mr. Soumya Majumdar, Senior Advocate Mr. Debanjan Mukherjee, Advocate
Heard on	:	August 19, 2025
Judgment on :	:	August 19, 2025

Aniruddha Roy, J.

Upon urgency being pleaded on mentioning and since the regular determination has been assigned to this Court, this writ petition has been taken up for consideration by publishing in the daily cause list.

Mr. Dilip Kumar Saila, learned advocate appears for the petitioner.

Mr. Debanjan Mukherjee, learned advocate led by Mr. Soumya Majumdar, learned Senior advocate appears for the State.

The solitary grievance of the petitioner is that, the petitioner has applied for a new electricity meter for residential purpose at the subject premises but the same has not yet been provided. As a result the petitioner is leaving without any electricity.

Learned counsel Mr. Debanjan Mukherjee, appearing for C.E.S.C. submits the erstwhile occupier has consumed electricity but not paid the charges and levies. On this score a total sum of **Rs.42,983.42** is due and payable to C.E.S.C. C.E.S.C. is willing to provide the electricity connection subject to payment of the said outstanding dues along with whatever other statutory charges are required to be paid by the petitioner.

The law is well settled that, subject to compliance of all statutory requirements and subject to payment of all fees required to be paid by a consumer in accordance with law, a person who applies for electricity supply must receive the same. The levy on electricity does not depend with the occupier or consumer in person but it is leviable and realizable against the consumption of electricity at a place, where it has been consumed.

The further grievance of the petitioner is that, as on date the petitioner has not received any demand from C.E.S.C. mentioning the details of such demand.

The learned State counsel has submitted a police report dated **July 11, 2025** issued by the Officer-in-charge, Posta Police Station, the same is taken on record. The report shows that there is no complain of disturbance of peace at the locale.

Considering the submissions made on behalf of the parties and on perusal of the materials on record, C.E.S.C. authority is directed to communicate in writing the petitioner the details and particulars in support of its dues as claimed by it. It shall further communicate what other statutory levy and charges are required to be paid by the petitioner at

present, strictly in accordance with law, to obtain electricity supply. Such communication shall be made to the petitioner positively within a period of **72 working hours** from communication of this order.

Upon receiving the said communication and subject to entire payment being made by the petitioner in terms of the said communication C.E.S.C. shall immediately proceed to install the meter and to provide electricity connection in favour and in the name of the petitioner at the existing meter board but positively within **72 working hours** from receiving the amount from the petitioner.

Mr. Dilip Kumar Saila, learned advocate has informed this Court that, there is no litigation pending which can touch installation of the electricity supply at the subject premises.

It is made clear that, this order shall not create any right or equity in favour of the petitioner in so far as his occupation and possession in the premises is concerned and this order shall be restricted only for the purpose of obtaining electricity connection at the premises.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition **W.P.A. 14448 of 2025** stands **disposed of**, without any order as to costs.

All parties shall act on the basis of the server copy of this order without insisting upon production of a certified copy thereof.

(Aniruddha Roy, J.)