

17.11.2025
Court No.25
DL/Item No.-18
[Milan]

WPA 23884 of 2024

**Chhabi Basak
versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Bhattacharjee,
Mr. Suman Nandi
....for the Petitioner

Mr. Simanta Kabir,
Mr. Uttam Kr. Dey
....for the State

Ms. Sreemayee Mitra
.....for CESC
Mr. Siva Prasad Ghosh

....for the Private Respondent Nos.5 & 6

The petitioners has filed the present writ petition praying for direction upon the respondent nos. 2 and 3 for supply of electricity by installing a new meter.

This Court has called for a report from the respondent nos.2 and 3 and the respondent no.2 has filed a report on 6th March, 2025 wherein it reveals that the petitioner had applied for a commercial electricity supply for shop. The shop is a part of the same building and not a structurally separated establishment.

The authority concerned is ready to provide the new meter connection in the existing service position

and the petitioner has accepted and paid the requisite fee to get the new meter connection. When the authority concerned attempted for meter installation, the private respondent has raised objection, due to which the new meter connection could not be installed.

The learned Counsel for the private respondent has submitted that he has no objection if separate meter connection is provided to the petitioner but the petitioner should not disturb position of the private respondent. He further submitted that if the meter connection is provided from the existing service position, he has no objection for the same.

The State authority has also filed a report on 28th July, 2025 wherein it reveals that the private respondent has filed an application under Section 163 (2) of BNSS before the Ld. Executive Magistrate, Barrackpore and the said case was referred to the Baranagar PS for enquiry.

On enquiry, it is found that at the time when the authority had been to the premises of the petitioner for installation of the meter connection there was some agitation and accordingly the private respondents have made a complaint before the Baranagar PS.

Heard the learned Counsel for the respective parties. This Court finds that the respondent no.3, on receipt of application filed by the petitioner, has inspected the premises of the petitioner for providing the

new meter connection from the existing service position but the private respondent has raised objection.

The respondent no.3 has submitted report wherein it reveals that the shop of the private respondent and the shop of the petitioner is adjacent to each other and there is a common wall in between both shops. The private respondents are enjoying the electricity connection having the service line. For providing a new connection to the petitioner, electric connection is to be taken from the existing service position.

Accordingly, the concerned authority particularly the respondent no.3 is directed to provide the electricity connection by affixing a new meter in the premises of the petitioner from the existing service position which is situated in the premises of the private respondent within two weeks on compliance of all formalities by the petitioner.

If the authority or the petitioner finds that the private respondent raises any objection for getting the meter connection from the existing service position, the petitioner shall make appropriate request to the concerned police station that is the respondent no.4 for providing appropriate police assistance to the petitioner as well as the officials of the respondent nos.2 and 3 for providing meter connection in the premises of the petitioner and the respondent no.4 shall provide

appropriate police protection for providing electric connection.

If it is further made clear that if any padlock is required to be removed, the private respondents shall allow to open the padlock, if private respondents failed to open padlock, the petitioner shall be at liberty to break open the padlock in the presence of police authority only for the purpose of taking electricity connection from the existing service position, and after taking the meter connection from the existing service position, the petitioner shall put a new padlock and hand over a key to the private respondent in the presence of police authority.

WPA 23884 of 2024 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)