

Sl. No.02.
09.09.2025
Suman
Ct. 15

WPA 24046 of 2023

Sri Ujjwal Pal and Another
Vs.
CESC Limited and Ors.

Mr. Subham Ghosh

..for the petitioners

Mr. Debanjan Mukherjee

..for CESC Limited

Mr. Indranil Halder

..for respondent no.5.

The present writ petition was filed alleging that the Calcutta Electric Supply Corporation (CESC) had installed an electricity meter within the petitioners' shop premises in order to provide an electricity connection to the premises of respondent no. 5.

Learned counsel appearing on behalf of CESC Limited has drawn the attention of this Court to an order dated May 8, 2023, passed by a Co-ordinate Bench in WPA 8797 of 2023 (Sujit Kumar Shaw vs. CESC Limited & Ors.), filed at the instance of respondent no.5 and submitted that the said

electricity connection was effected in compliance with the direction contained therein.

Upon perusal of a copy of the said writ petition, it appears that respondent no. 5 consciously chose not to implead the present petitioners as parties, thereby obtaining an order without affording them an opportunity of being heard.

By an order dated June 17, 2025, this Court directed CESC Limited to conduct an inspection and submit a report identifying any feasible alternative location for installation of the disputed meter.

Pursuant to the said direction, CESC Limited conducted an inspection and submitted a report before this Court, indicating that no alternative location was available for shifting the meter.

However, today it has been jointly submitted by the learned advocates appearing for the petitioners and respondent no. 5 that the latter is willing to relocate the internal wiring from the petitioners' shop premises, and the petitioners have agreed to permit the meter to remain at its current location within the said shop.

In light of the above mutual understanding reached between the parties, there remains no further necessity to keep the writ petition pending.

Accordingly, the writ petition is disposed of with a direction upon respondent no. 5 to relocate the internal wiring from the petitioners' shop premises within a period of two weeks from the date of this order.

This Court has already taken note of the conduct of respondent no. 5 in securing an order from this Court without notifying the petitioners, thereby facilitating the electricity connection in his favour without due process.

In view of such conduct, respondent no. 5 is directed to pay costs of Rs. 5,000/- (Rupees Five Thousand only) to the petitioners within a period of two weeks.

Consequently, **WPA 24046 of 2023** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)