

S/L 26
02.12.2025
Court. No. 25
sourav

WPA 25389 of 2025

**M/S. Radu
Vs.
State of West Bengal & Ors.**

*Mr. Diptomoy Talukder
Ms. Reshmi Hossain
Ms. Mohua Biswas*

...for the petitioner.

Mr. Tapas Kr. Roy

...for the State.

Ms. Susmita Chatterjee

...for C.E.S.C.

*Mr. Sabyasachi Bhattacharya
Mr. Suman Nandi*

...for the private respondent no. 6.

1. The petitioner has filed the present writ application praying for a direction upon the respondent nos. 2, 3 and 4 i.e., the CESC Limited for installation of a new meter in the premises of the petitioner.
2. The learned counsel for the petitioner submits that the petitioner was enjoying the electric connection but all of a sudden, on September 17, 2025 the meter of the petitioner was burnt. Accordingly, the petitioner has applied for replacement of the burnt meter to the CESC and the petitioner has paid the charges for replacement of the burnt meter. In spite of the same, the authorities have not replaced the burnt meter.
3. The learned counsel for the private respondent submits that there are altogether three meters and due to the incident of fire, all three meters have been burnt and accordingly, the private respondent have estimated the cost for changing of the three meters and the entire meter

box to the tune of Rs. 1,50,000/- and the son of the petitioner is agreed to pay Rs. 50,000/- being their share. The other tenants have already paid Rs. 50,000/- but the petitioner is not paying Rs. 50,000/- which the private respondent has invested for the meter box and change of the burnt meter.

4. The learned counsel for the CESC has handed over a communication dated 15.11.2025 wherein it is mentioned that on receipt of the complaint from the writ petitioner for change of the existing burnt meter and replacement of the new meter, the CESC has deputed a man for replacement of the burnt meter but the private respondent has raised objection and lock the meter box due to which the CESC could not be able to replace the burnt meter of the petitioner.
5. Subsequently, after filing of the writ petition, again the CESC officials deputed a person on 20.11.2025 for replacement of the burnt meter with the new meter of the petitioner and also request the police authority for grant of police assistance for replacing the burnt meter but the petitioner has not cooperated with the same due to which the meter could not be replaced.
6. The learned counsel appearing for the State has submitted a report and submits that on 20.11.2025 as per the requisition of the CESC limited, the police assistance was provided for replacement of the burnt meter of the petitioner but the petitioner has objected and refused to take police assistance on the ground that he has already

filed the writ petition and he is waiting for the order from this Court.

7. Heard the learned counsel for the respective parties.
8. There is no dispute that the petitioner was having the electric connection but the same was burnt. On receipt of the request from the petitioner, the CESC authorities are ready and willing to provide the electric meter but there was some resistance from the private respondent. Subsequently, the CESC has also taken police help but the petitioner refused to take police help because of he has already filed the present writ application.
9. The claim of the private respondent is that the petitioner has to pay Rs. 50,000/- being the cost for replacement of burnt meter to that of new meter as well as the meter box. The petitioner is denying for the same and he submits that he has already paid the amount to the concerned authority for replacement of the new meter in place of the burnt meter.
10. Considering the above, this Court finds that with regard to the dispute whether the petitioner is required to pay Rs. 50,000/- to the private respondent or not, this Court cannot decide in the present writ application. The CESC authorities are ready and willing to replace the burnt meter. Accordingly, the CESC is directed to replace the burnt meter of the petitioner by replacing a new meter within a period of one week from the date of communication of this order in the present service possession.

11. If the CESC officials find any obstruction from any corner, the Officer-in-Charge, Gariahat Police Station shall provide necessary police assistance to the officials of the CESC for replacement of the burnt meter in the premises of the petitioner. If the CESC authorities finds that any lock is there in the meter box and that is to be opened and the private respondent is not cooperating for opening the padlock, the petitioner shall break open the padlock in presence of the police officials only for the purpose of getting service line for replacement of the new meter in place of burnt meter and thereafter, the petitioner shall put a new lock in the said meter box and shall hand over the key to the private respondent in presence of the police officials.
12. If any cost is to be paid for the police assistance, the petitioner shall bear the said cost.
13. Accordingly, **WPA 25389 of 2025** is disposed of.
14. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)