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IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/402/2025

VICTOR MOSES AND CO. AND ANR.

VS

CESC LIMITED AND ORS.

BEFORE:

The Hon'ble PARTHA SARATHI CHATTERJEE

Date :3rd June, 2025.

Appearance:

Mr. Soumya Mazumder, Sr. Adv.

Mr. Bhaskar Mukherjee, Adv.

Ms. Deblina Banerjee, Adv.

Mr. Arindam Paul, Adv.(VC)

Mr. S. K Bajoria, Adv.(VC)

... for the petitioner.

Mr. Aayush Sharma, Adv.

... for respondent no.1

Mr. Dipanjan Datta, Sr. Adv.

Mr. Sayan Datta, Adv.

Mr. Subhajit Chowdhury, Adv.

... for the State.

The Court:-The present writ petition has been filed seeking a direction upon the licensee of electricity, CESC, to restore electricity supply to the premises situated at 6, Old Post Office Street, Temple Chambers, Room No. 42, Ground Floor, Kolkata – 700001.

Mr. Soumya Mazumder, learned Senior Advocate appearing for the petitioners, submits that an unfortunate incident involving a fire broke out in the building on 10th April, 2025. Fire tenders promptly responded and extinguished the fire. However, the electricity supply to the premises was disconnected thereafter. The licensee, CESC, subsequently took the position that a clearance certificate from the West Bengal Fire

and Emergency Services is required before electricity can be restored. Mr. Mazumder further submits that the occupants of the building are willing and ready to install all necessary appliances and safety equipment as may be required by the competent authority for the purpose of obtaining the requisite Fire Safety Certificate.

He submits that officials from the West Bengal Fire and Emergency Services have conducted two inspections of the building. He further submits that the process of obtaining a No-Objection Certificate (NOC) from the said authority is time-consuming, and that in the meantime, if the occupants are compelled to stay without electricity, they will suffer severe prejudice. In view of the aforesaid circumstances, he respectfully prays that an appropriate direction be issued upon the electricity licensee, CESC, to forthwith restore electricity supply to the premises in question, pending completion of the formalities for issuance of the Fire Safety Certificate.

Mr. Dipanjan Datta, learned Senior Advocate appearing for the State respondents, submits that officials from the West Bengal Fire and Emergency Services Department have inspected the premises, and the process for issuance of the No-Objection Certificate is currently underway. He further concurs with the submission made by Mr. Mazumder that the said process is time-consuming. However, he submits that if this Hon'ble Court is inclined to direct restoration of electricity supply during the interregnum period, the department shall not raise any objection or stand in the way of such restoration.

Mr. Aayush Sharma, learned Advocate appearing for the electricity licensee, CESC, submits that in the event a direction is issued by this Hon'ble Court for restoration of electricity supply, the same shall be duly complied with.

Heard the learned Advocates and perused the materials on record. It is admitted that electricity is one of the basic essential amenities. The occupants of the building, which comprises chambers of Advocates, have expressed their willingness and readiness to take all necessary steps to obtain the Fire Safety Certificate, which, as submitted, is a time-consuming process. In such circumstances, pending completion of the formalities for issuance of the clearance certificate by the West Bengal Fire and Emergency Services, the occupants cannot be allowed to stay in the premises without electricity.

Accordingly, taking note of the above, the licensee, CESC, is directed to restore electricity supply to the said building upon completion of necessary formalities by 12:00 noon tomorrow. The West Bengal Fire and Emergency Services shall, in the meantime, make all necessary endeavours to complete the requisite process and issue the No-Objection Certificate within a period of six weeks from the date of this order.

This writ petition is disposed of. There shall be no order as to the costs.

The learned Advocate-on-Record for the petitioners is requested to communicate a copy of this order to the competent authority of the licensee, CESE, who shall act on the basis of such communication.

(PARTHA SARATHI CHATTERJEE, J.)