

OD-4

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/431/2025

RANJAN MUKHERJEE ALIAS RANJAN MUKHOPADHYAY
VS
CALCUTTA ELECTRIC SUPPLY CORPORATION (CESC) LTD. AND ORS

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : August 27, 2025.

Appearance:
Ms. Nalini Chakravarty, Adv.
Ms. Shampa De, Adv.
For the petitioner

Mr. Debayan Mukherjee, Adv.
For CESC.

Mr. Subrata Mukherjee, Adv.
... for the State.

The Court:-The petitioner seeks the removal of a meter installed in the name of Respondent No. 7. It appears that the petitioner and Respondent Nos. 6 to 9 are relatives and that there exists a dispute concerning the title of the relevant property between the petitioner and the said respondents.

Learned counsel appearing on behalf of the petitioner submits that the meter was installed in violation of an injunction order passed by the learned Civil Judge (Senior Division), 5th Court at Alipore, in Title Suit No. 1177 of 2018 (*Ranjan Mukherjee Vs. Sri Keshab Mukherjee & Ors.*). However, the petitioner was unable to produce a copy of the injunction order at the time of the hearing.

Notwithstanding this, it appears from a communication dated October 12, 2018, appearing at page no. 19 of the writ petition, that the Civil Court issued the following injunction orders:

“That the Plaintiff’s prayer for temporary injunction with ad-interim effect under Order 39 Rule 1 & 2 read with section 151 of the C.P.C is allowed.

The Plaintiff and the Defendants are directed to maintain status quo in respect of alienation of title possession, nature and character of the Suit property to the Plaintiff as on this date till 28-11-2018(intervening long vacation from 13-10-2018 to 11-11-2018).

Issue notice upon the defendant to show cause within 15 days from the date of receipt of the notice as to why the Plaintiffs petition for temporary injunction shall not be allowed.

Plaintiff is directed to comply the provisions of Order 39, Rule 3(a) &(b) of CPC at once.

To 28-11-2018 for S/R of the Show Cause of Injunction application.”

It does not appear that CESC was a party to these proceedings. It is well-settled law that the installation of an electricity connection does not alter the nature or character of the premises.

In my view, the injunction order did not prohibit CESC from installing an electricity meter in favour of Respondent No. 7.

Respondent Nos. 6 to 9 remain unrepresented. The affidavit of service filed by the petitioner shall be retained on record.

Furthermore, the report submitted by CESC to this Court does not indicate any unauthorised use of electricity by Respondent No. 7.

In light of the foregoing, I find no grounds to entertain the prayer of the writ petition. Accordingly, WPO/431/2025 is dismissed.

(KAUSIK CHANDA, J.)

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