
(2019) 01 CAL CK 0014
In the Calcutta High Court
Case No : Writ Petition No. 19660(W) Of 2018

Suchitra Saha

APPELLANT

Vs

Calcutta Electric Supply Corporation Limited & Ors

RESPONDENT

Date of Decision : 03-01-2019

Acts Referred:

Citation : (2019) 01 CAL CK 0014

Hon'ble Judges : Samapti Chatterjee, J

Bench : Single Bench

Advocate : Bikram Banerjee, Sudipta Dasgupta, Subhasish Banerjee,
Sreemoyee Mitra, Anjana Sengupta, Dhiraj Kumar Dey

Final Decision : Disposed Off

Judgement

Let affidavit of service filed in Court today be kept on record.

The petitioner has filed the present writ petition for a direction upon the Licensing Company to instal a new meter in the name of the petitioner to enjoy supply from the existing main meter board.

Mr. Sudipta Dasgupta, learned advocate for the petitioner submits that the petitioner is an occupier of the said premises. Therefore, the petitioner has every right to enjoy the supply.

The submission of Mr. Dasgupta is vehemently opposed by Ms. Anjana Dasgupta, learned advocate for the respondent no.5.

Ms. Anjana Dasgupta submits that the petitioner's mother-in-law was allowed to enjoy some portion of the premises. She further submits that the petitioner's mother-in-law was not a monthly tenant under the private respondent no.5. Therefore, Court should not entertain the present writ petition.

Ms. Sreemoyee Mitra, learned advocate for the Licensing Company submits that time and again the staff of the Licensing Company went to instal a new meter in the name of the petitioner to enjoy supply from the existing main meter board.

Unfortunately, they have been prevented by the private respondent no.5.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the record, I direct the Licensing Company to inspect the said premises and thereafter take steps in accordance with law. The entire exercise shall be completed within six weeks from the date of communication of this order. If the staff of the Licensing Company requires some police assistance to execute this order then the Officer-in-Charge, Dum Dum Police Station, Kolkata, the respondent no.4 is directed to render assistance and cooperation to the staff of the Licensing Company. If such police assistance is required then the petitioner is directed to bear the police cost.

Needless to mention, enjoyment of electricity will not create any right or equity in favour of the petitioner if any proceeding initiated by the private respondent no.5 in future to evict the petitioner from the said premises.

With this direction, the writ petition is disposed of.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be furnished on priority basis.