

**FMA 1800 of 2015
with
CAN 2 of 2017 (Old No. CAN 8859 of 2017)
(Pabitra Chatterjee Vs. CESC Ltd. & Ors.)**

**Mr. Subir Sanyal
Ms. Sumouli Sarkar
..... For the CESC Ltd.**

Records reveal that the present appeal being FMA 1800 of 2015 has already been disposed of by an order dated 16th July, 2015. In connection with the said appeal, an application for appropriate order being CAN 8859 of 2017 has been filed on 6th September, 2017 by the CESC authorities, *inter alia*, praying for a direction upon the respondent/opposite party no. 3 to forthwith comply with the statutory formalities as mentioned in the memo dated 21st April, 2016 issued on behalf of the CESC authorities.

Ms. Sarkar, learned advocate appearing for the CESC authorities submits that the formalities indicated in the memo dated 21st April, 2016 have already been complied with by the appellant and the respondent no. 3. The CESC authorities have already removed the overhead existing service line and granted new connection through the underground service line of the common passage on 29th February, 2020.

In view thereof, the present application being CAN 8859 of 2017 has become infructuous and is, accordingly, dismissed.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)