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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4558 of 2020
(Through Video Conference)

Ranjit Mondal & Ors.
Vs.
C.E.S.C. Limited & Ors.

Mr. Indrajit Biswas
... For the petitioner.

Mr. Subrata Santra
For C.E.S.C. Limited.

Mr. Bipin Ghosh,
Mr. Taposh Adhikari
... For the State.

Mr. S. K. Banerjee,
Mr. Biswanath Mitra
... For the private respondent.

Affidavit of service and subsequent notice to the private respondent, filed in Court today, are taken on record.

The father of the petitioners, since deceased, had made an application for new electricity connection. Before the application could be finally processed, after receiving the quotation money, the petitioners' father died and as such, the petitioners being the legal heirs inherited the property wherein their father wanted an electricity connection.

The petitioners say that the new connection should be given to them by processing the application made by their father by incorporating their names in

place and stead of Late Gouranga Mondal, the deceased father of the petitioners.

On behalf of C.E.S.C. Limited, it is submitted that the building wherein Gouranga Mondal, had sought for a connection is a new building and the service main has to be first provided thereat. C.E.S.C. Limited also says that the application made by Gouranga Mondal, cannot be further processed with after his death. A new application by the petitioners are required to be made and the C.E.S.C. Limited should treat the payment made by Gouranga Mondal to be the payment required to be made by the petitioners. It is further submitted by C.E.S.C. Limited, that the private respondent is objecting to a new connection being given to the petitioners.

On behalf of the private respondent (respondent no.5), it is submitted that the private respondent is an existing consumer and enjoying electricity from C.E.S.C. Limited. The private respondent apprehends that the existing supply to the private respondent may be disconnected while giving new connection to the petitioners.

In this writ petition, the grievances of the private respondent and that too based on apprehension that his supply may be disconnected cannot be entertained. Private respondent may avail

other remedy as may be advised.

The petitioners are permitted to make an application within three days and C.E.S.C. Limited shall process such application, if made and give the petitioners a new service connection as also instal a new meter for enjoyment of electricity from the main supply. C.E.S.C. Limited shall grant the new connection to the petitioners within 10 days from the date of the petitioners making a new application, subject to payment of all cost and charges, if not, already paid, and other statutory compliance.

It is expected that the private respondent shall not obstruct the officials of C.E.S.C. Limited while installing the meter and giving new connection to the petitioners.

The respondent no.4, the Officer-in-Charge, Anandapur Police Station, shall ensure that there is no breach of peace at the time of installation of the meter and effecting new connection to the petitioners.

Nothing remains further to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondent

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon

usual compliance of all formalities.

(Arindam Mukherjee, J.)