

WPA No.8186 of 2021

Rajesh Shaw
Vs.
CESC Limited and others

Mr. Manik Lal Podder

.... for the petitioner

Mr. Uday Sankar Bhattacharya

....for the CESC Limited

Despite service, none appears for the private respondent, although the petitioner and the CESC Limited are represented through counsel.

It is contended by learned counsel for the petitioner, as corroborated by his counterpart appearing for the CESC Limited, that the CESC Limited is not being able to hold a proper inspection and to give a new electric connection to the petitioner, despite the petitioner having applied therefor, due to resistance being created by the private respondent.

Since the version of the private respondent is not available to court in view of absence of the private respondent on repeated occasions, WPA No.8186 of 2021 is disposed of by directing the respondent no.1 to hold an inspection and to give necessary new

electric connection to the petitioner, subject to compliance of all formalities on the part of the petitioner and in accordance with law, as early as possible, preferably within four weeks from date.

It is made clear that, in the event the officials of the CESC Limited face any hindrance from the private respondent and/or the agents of the private respondent, it will be open to the said officials to approach the respondent no.4, the Officer-in-Charge of the Muchipara Police Station, for adequate police protection in that regard.

In the event such an approach is made, the respondent no.4 shall provide immediate assistance to the officials of the CESC Limited for the purpose of holding inspection as well as giving electric connection to the petitioner, at the cost of the petitioner.

It is further clarified that, in the event there is any padlock or physical impediment to enter the meter room, the respondent no.4 will be free to break open such padlock and remove such impediment for the limited purpose of giving access to the meter room to the officials of the CESC Limited. It is also clarified that this court has not entered into the merits of the respective rights of the petitioner and the private respondent in respect of the property-in-question.

The parties shall act on the written communication of the learned Advocates for the parties, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)