

23/04/2021
Item No.10 (a)
Court No.1.
AB/S DE

Through Video Conference

M.A.T. 495 of 2021

With

I. A. CAN 1 of 2021

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Sri Sushil Kumar Gupta

Vs

Smt. Poonam Gupta & Others

Mr. Surendra Kr. Sharma ...for the Appellant.

Mr. Arkaprava Sen ...for the Respondents.

Mr. Prashant Agarwal ...for the CESC.

This appeal is directed by the private respondent in WPA 6970 of 2021 against an order dated March 23, 2021, whereby the writ petition was disposed of by directing the CESC Limited to provide electricity connection to the writ petitioner.

The appellant and the writ petitioner appear to be tenants of different portions of the same premises. The landlord does not appear to have any objection to electricity connection being granted to the writ petitioner. After all, electricity is an essential commodity without which, in the present days, life cannot function normally.

The learned Judge rightly directed the Electric Company to provide electricity connection to the writ petitioner.

Learned Counsel for the appellant says that the meter cannot be installed on the portion, which he occupies.

Learned Counsel for the Electric Company says that the service meter is located in the portion occupied by the present appellant and necessarily connection for the writ petitioner has to be drawn from such meter. This will not prejudice the appellant in any manner.

The appellant further says that he was not served with a copy of the writ petition before the order impugned was passed. We cannot take note of such submission since the order challenged before us clearly records that pursuant to earlier directions, the petitioner had served the private respondent.

We find no merit in the appeal. Accordingly, the appeal and the connected application are dismissed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

[Thottathil B. Radhakrishnan, C.J.]

[Arijit Banerjee, J.]