

04.06.2021
jb.

W.P.A. 10042 of 2021
(Achintya Singha Roy vs. CESC Limited & Ors.)

Mr. Uddipan Banerjee
.... For the Petitioner

Mr. Srijib Chakraborty
.... For the Private Respondents

Mr. Rajib Lall
.... For the CESC

The grievance of the petitioner is directed against the failure of the CESC respondent Authorities in providing an electricity connection to the petitioner. It is submitted on behalf of the petitioner that notwithstanding having complied with all statutory formalities the CESC failed to provide an electricity connection to the petitioner.

Mr. Lall appearing on behalf of the CESC submits that the CESC has been unable to provide electricity connection due to obstruction and hindrance created by the private respondents.

Mr. Chakraborty, appearing on behalf of the private respondents submits that the application for electricity connection has been made by one Tubu Auto whereas the writ petition has been filed by one Achintya Singha Roy. Hence no order can be passed on this application since the electricity connection is being sought by a different entity.

I have heard the parties. Considered the submissions made on behalf of the respective parties. I find no merit in the submissions made on behalf of the private respondents and it is evident that the same has been made to reek some private grievances.

In paragraph 4 of the petition it is categorically stated that the said Tubu Auto is a partnership concern and the names of the partners have been categorically mentioned therein. In any event in view of the fact that this is an essential service which is being sought for by the petitioner I am of the view that the CESC is obliged to provide such electricity connection in accordance with law after compliance with all statutory formalities. Accordingly, the CESC is directed to provide such electricity connection to the petitioner within a period of two weeks from date after complying with all requisite formalities and payment of necessary charges by the petitioner. Liberty is granted to the CESC to take appropriate police assistance from the appropriate authorities, if necessary. The concerned police authorities are directed to remove padlock on the electric meter, if any.

It is made clear that the supply of electricity in favour of the petitioner will not create any other right or equity in favour of the petitioner in the pending civil suit between the petitioner and the private respondents.

With the aforesaid directions, W.P.A. 10042 of 2021 is disposed of.

There shall be no order as to costs.

Photostat certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Ravi Krishan Kapur, J.)