

AD. 77.
January 6, 2022.
MNS.

(Through Video Conference)

WPA No. 14065 of 2021
with
CAN 1 of 2021

Sk. Naushad
Vs.
CESC Limited and others

Mr. Francis Samson Correa,
Mr. Victor Chatterjee,
Ms. Kiran Kumar Mahato

...for the applicant.

Mr. Debanjan Mukherjee

...for the CESC Limited.

Re: **CAN 1 of 2021**(recalling application)

Affidavit-of-service filed in Court today be kept on
record.

Despite service, none appears for the petitioner
and the State, although the applicant (daughter-in-law of
the deceased respondent no. 5) and the CESC Limited
are represented through counsel.

It is submitted by the applicant that on the date of
passing of the order of disposal in WPA No. 14065 of
2021, that is, on November 26, 2021, the respondent no.
5 in the writ petition had already expired and, as such,
the observation in the order dated November 26, 2021 to
the effect that obstruction was being raised by the
respondent nos. 5 to 7 to the new connection being
given to the petitioner ought not to have been recorded.

A photocopy of the relevant death certificate of respondent no. 5 has also been annexed to the recall application.

Since it appears from the death certificate that respondent no. 5 in the writ petition had expired on December 21, 2018, prior to the passing of the order by this Court, such order dated November 26, 2021 is deemed to be stand corrected to the extent that the obstruction was being raised by the “respondent nos. 6 and 7” instead of the transcription in the said order to the effect that “respondent nos. 5 to 7” were raising such obstruction.

CAN 1 of 2021 is disposed of in terms of the above observations.

No further order need be passed in connection with the writ petition itself, since the same was disposed of by the order dated November 26, 2021.

Let this order be treated to be a part of the order dated November 26, 2021.

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.)