

AD. 156.
November 25, 2021.
MNS.

(Through Video Conference)

WPA No. 14338 of 2021

Sk. Nazir Hossain
Vs.
CESC Limited and others

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder

... for the petitioner.

Mr. Rajiv Lall

...for the CESC Limited.

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

The short grievance of the petitioner is that, despite the private respondents, being a co-owner, enjoying electricity himself in his own name in respect of the premises-in-question, the petitioner is not being able to take independent connection to his portion of the premises due to obstruction being raised by the private respondent.

Learned counsel appearing for the private respondent submits that the private respondent lives with his family in the room where the meters are located. Since there are minor children and there is always a potential hazard due to overload of electricity, the private respondent apprehends that a further connection being given to the petitioner from the same meter box might be

detrimental to the safety of the private respondent's family.

However, this Court expects, hopes and trusts that the CESC Limited, while taking an inspection of the premises for the purpose of looking into the feasibility of giving new electric connection, will take into account the necessary safeguards and safety measures.

As such, in view of the other co-owner enjoying electricity, there ought not to be any impediment to the petitioner from getting any electric connection, subject to such new connection being feasible and in accordance with law.

As such, WPA 14338 of 2021 is disposed of by directing the CESC Limited to carry out an inspection in the premises of the petitioner for the purpose of ascertaining the feasibility and location of giving a new connection in the name of the petitioner.

The private respondent and the petitioner shall cooperate with the officials of the CESC Limited at the time of such inspection. In the event the CESC Limited is of the opinion that there is no bar, at a practical level and/or in law, to provide such new connection to the petitioner, the CESC Limited shall endeavour to give such connection, subject to compliance of all formalities by the petitioner at the earliest thereafter.

In the event the officials of the CESC Limited face any obstruction from any quarter during such inspection, it will be open to the officials of the CESC Limited to

approach the respondent no. 3, that is, the Officer-in-Charge of the Behala Police Station and, upon such approach, the respondent no. 3 shall provide adequate police assistance for the inspection being held and at the point of time when new connection, if any, is given to the petitioner.

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.)