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11.11.2021.
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 15531 of 2021

Smt. Binapani Nandi

-vs.-

The State of West Bengal & Ors.

Ms. Piyali Mukherjee

...for the petitioner

Mr. Sumit Roy

...for the W.B.S.E.D.C.L.

Despite service, none appears on behalf of the private respondent, although the petitioner and the respondent-authorities are represented through counsel. Affidavit-of-service filed in Court today be kept on record.

Despite having purchased a property from the private respondent, in the latter's capacity as a promoter/developer, it is alleged by learned counsel for the petitioner that the private respondent is creating hindrance to new electric connection being taken by the petitioner at the premises-in-question.

Learned counsel for the W.B.S.E.D.C.L. supports such contention as regards obstruction being created in the new connection being given, from the end of the private respondent (respondent no. 5).

Since the private respondent has chosen to refuse service (as it appears from the endorsement in the returned envelope sent to the said respondent), which is treated to be good service in law, the writ petition is being disposed of in the absence of the private respondent.

W.P.A. No. 15531 of 2021 is allowed, thereby directing the W.B.S.E.D.C.L. to give new connection to the writ petitioner at the premises-in-question within four weeks from date, subject to all prior formalities being completed. In the event any obstruction is created by the respondent no. 5 and/or his men and agents, the W.B.S.E.D.C.L. officials shall be at liberty to approach the respondent no. 6, the Inspector-in-Charge, Barasat Police Station, for extending police assistance to the said officials for the purpose of giving such instruction in any manner as required.

The parties shall act on the server copy of this order without insisting upon prior production of a certified copy thereof.

The petitioner shall also serve a server copy of this order on the private respondent within a week from date.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)