

AD. 32.
December 14, 2021.
MNS.

(Through Video Conference)

WPA No. 18270 of 2021

Arun Dutta and others
Vs.
Calcutta Electric Supply Corporation
and others

Mr. Sabyasachi Mukherjee,
Mr. Bibek Dey

... for the petitioners.

Mr. Rajiv Lall

...for the CESC Limited.

Liberty is granted to the Advocate-on-record of the petitioners to correct the cause title during the course of the day.

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

Despite service, none appears on behalf of the private respondent.

It is apparent that the private respondent is avoiding service.

Learned counsel for the petitioners submits that as per the previous direction of this Court, deficit court-fees have been deposited by the petitioners on December 10, 2021 vide entry no. A-13891.

Accordingly, the matter is taken up for hearing.

Learned counsel for the petitioners contends that the petitioners/owners applied for a new electric

connection to the owners' allocation in respect of the premises-in-question. However, such connection could not be given by the Calcutta Electric Supply Corporation Limited (in short 'the CESC Limited') due to obstruction created by the private respondent.

Learned counsel appearing for the CESC Limited submits that there are certain additional requirements, which are required to be complied with by the petitioners for the purpose of getting new connection. That apart, learned counsel corroborates the submission of the petitioners insofar as the resistance being created by the private respondent is concerned.

In such view of the matter, WPA 18270 of 2021 is allowed, thereby directing the CESC Limited to grant a new electric connection at the petitioners' allocation of the premises, pursuant to the application of the petitioners, subject to compliance of all formalities by the petitioners, preferably within a week from the compliance of such formalities.

The personnel of the CESC Limited, if obstructed while giving such connection and/or taking necessary inspection for that purpose, will be at liberty to approach the respondent no. 6, that is, the Officer-in-Charge, Dum Dum Police Station, for adequate police assistance. If so approached, the respondent no. 6 shall give such police assistance at the costs of the petitioners.

It is made clear that, in the event any padlock is affixed on the entrance, which gives access to such

electric meter location, the police personnel will be at liberty to break open the padlock for the limited purpose of enabling the CESC Limited personnel to hold inspection and give electric connection.

The parties shall act on the written communication of this order of the learned Advocates for the parties, accompanied by server copies of this order, without insisting upon prior production of a certified copy thereof.

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.)