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05.02.
2021
Ct. No.23

WPA 10599 of 2020

**Dayal Ghosh
Vs
The C.E.S.C. Ltd. & Ors.**

**Mr. Sukumar Bhattacharyya
Ms. Sayani Bhattacharya
.....For the Petitioner
Ms. Nandini Mitra
.....For the CESC**

The petitioner has sought for a new Low Tension (LT) metered connection from the existing service main at premises no 29, Binod Behari Aditya Lane, P. O. Santragachi, P. S. A. J. C. Bose B. Garden, Howrah 711 110 (hereinafter referred to as the said premises). Since the connection has not been given to the petitioner, the instant writ petition has been filed.

On behalf of the C. E. S. C. Limited it is submitted that the C. E. S. C. Limited is ready and willing to give connection provided necessary police help is given to CESC Limited, otherwise C. E. S. C. Limited would not get free access to the meter room and the service main at the said premises. It is further submitted that there are disputes inter se between the petitioner and the respondent no.4 and as such the said respondent no.4 is objecting to the connection to be given to the petitioner. The respondent no.4 despite being served remains unrepresented. The matter is, thereto, taken up in the absence of the said respondent no.4.

In the facts and circumstances as aforesaid, I direct the respondent no.3 being the Officer-in-charge, A. J. C. Bose B. Garden Police Station, Howrah to be present at the said premises on 12th February, 2021 at 11-30 a. m. when the officials of CESC Limited shall visit the said premises for the purpose of inspecting the meter room and the service main at the said premises. The respondent no.3 shall ensure that free access is given to the petitioner and the officials of CESC Limited.

It is expected that the private respondent (respondent no.4) shall co-operate with the officials of the CESC Limited at the time of inspection.

It is made clear that for the purpose of inspection of the meter room and the service main, the respondent no.3 shall be entitled to break open the padlock of the meter room if the same is under padlock and the keys are unmatched to give free access to the officials of CESC Ltd. Within seven days from the date of inspection, CESC Limited shall raise a quotation upon the petitioner regarding the cost and expenses required to be borne by the petitioner for the purpose of getting a new LT metered connection. Subject to the petitioner paying the cost and expenses as per the quotation that may be raised by the CESC Limited and complying with other statutory formalities, CESC Limited shall give connection to the petitioner within seven working days from the date of the petitioner making payment of the quotation money. The respondent no.3 would be

informed by the CESC Limited as to the date and tentative time whenever they intend to give connection to the petitioner and the respondent no.3 shall ensure that there is no breach of peace at or around the said premises during the execution of work by CESC Ltd. The CESC Limited shall in advance inform the respondent no.3 about the date and tentative time of their visit for the purpose of giving electricity connection. So far as the inspection is concerned, the petitioner and the CESC Limited shall communicate this order to the respondent no.3 so that the respondent no.3 can take necessary steps on 12th February, 2021.

Nothing remains further to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)

