

07
26.09.2022
mb

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 3496 of 2022

Goutam Paul
Vs.
Calcutta Electricity Supply
Corporation Limited & Ors.

Mr. Shyamal Chakraborty,
Ms. Sunita Ghosh
...for the petitioner

Mr. Debanjan Mukherjee
...for the CESC Limited

Mr. Bipin Ghosh
...for the State

When the matter is called on for hearing, none appears for the private respondent, although the petitioner and the CESC Limited are represented through counsel.

The limited grievance of the petitioner is that, despite the petitioner having applied for a new service connection in his name, the CESC Limited could not give such supply till date, primarily due to obstruction raised by the private respondent no. 4.

Upon hearing learned counsel for the parties and perusing the affidavit-of-service, it is clear that although the private respondent was represented by counsel on the last occasion, the said

respondent chooses not to remain represented today when the matter is called on for hearing.

The conspectus of the dispute is limited, in view of the CESC Limited having filed a report in Court indicating that they have no objection, in principle, to give electricity connection to the petitioner since it is technically feasible, subject to statutory compliance of the offer letter and payment of MASD bill, which the petitioner is required to deposit for installation of service connection. The report filed by the CESC Limited be kept on record.

W.P.A. No. 3496 of 2022 is, accordingly, disposed of by directing the CESC Limited to give service connection in the name of the petitioner at the premises-in-question, subject to compliance of all formalities by the petitioner, as expeditiously as possible, positively within three weeks from the date of compliance of all formalities by the petitioner or this order, whichever is later.

In the event the CESC personnel face any obstruction from the private respondent no. 4 and/or his men and agents while giving such connection to the petitioner, it will be open to the CESC personnel to approach the respondent no. 3, that is, the Officer-in-Charge, Bauria Police Station, for adequate police assistance.

If so approached, the respondent no. 3 shall act on the written communication of the learned Advocate for the petitioner, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof, and grant such assistance to the CESC personnel at the cost of 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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)