

08
18.04.2022
TN

WPA No. 4796 of 2022

Suraj Prakash Jaiswal
Vs.
The CESC Limited and others

Mr. Sunny Nandy,
Mr. Subha Pathak

.... for the petitioner

Mr. Debjit Mukherjee

.... for the CESC Limited

Mr. Manas Kundu,
Mr. Debabrata Mondal

.... for the respondent no.3/State

The petitioner raises the contention that despite the petitioner being entitled to a separate electricity connection in the name of the petitioner, who is allegedly a tenant in respect of the premises-in-dispute, the CESC Limited has not yet taken any steps for the purpose of ascertaining the viability of such connection being given to the petitioner.

Learned counsel appearing for the CESC Limited contends that despite attempts being made by

the CESC Limited, on the application of the petitioner, at least five times, no access could be gained to the site of the existing meter board position by the CESC personnel for several reasons, including obstruction being raised by the present private respondent nos.4 to 6 and the existing meter board being under lock and key.

It is further submitted by learned counsel for the CESC Limited that the private respondents have given written objection to such connection being given to the petitioner. However, it is further submitted that no specific reason for such objection has been disclosed in the said written objection.

The written objection allegedly filed before the CESC Limited by the private respondents, copies of which have been handed over in court by learned counsel for the CESC Limited, be kept on record.

In the absence of substantial objections, the matter need not be unnecessarily relegated to the concerned District Magistrate for the purpose of deciding the apparently frivolous objection of the private respondents. Since the private respondent nos. 4 to 6 choose not to appear, despite service, the matter is being disposed of *ex parte* in their absence.

Affidavit-of-service, filed today, be kept on record.

WPA No. 4796 of 2022 is, thus, disposed of by directing the CESC Limited to hold inspection at the premises-in-question, pursuant to the application for new electricity connection made by the petitioner, within a week from date and, thereafter, if the connection is found viable and the petitioner is found to be entitled to get such connection at the premises-in-question, to give such connection, subject to compliance of all formalities in that regard by the petitioner, as expeditiously thereafter as possible.

In the event any obstruction is put up by the private respondent nos.4 to 6 at the time of the CESC personnel holding such inspection and/or giving such connection, if the petitioner is found eligible and it is found viable, the CESC personnel will be at liberty to approach the respondent no.3, that is, the Inspector-in-Charge, Muchipara Police Station who, upon such approach being made, shall provide adequate police assistance in that regard to the CESC personnel for the purpose of holding such inspection as well as giving such connection, if the petitioner is found eligible, at the cost of the petitioner.

All parties 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.

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.)