

AD. 15.
May 10, 2022.
MNS.

WPA No. 6455 of 2022

Nasim Alam
Vs.
CESC Limited and others

Mr. Uddipan Banerjee

...for the petitioner.

Ms. Nandini Mitra

...for the CESC Limited.

Mr. Swapan Kumar Pal

...for the State.

The affidavit-of-service and envelope filed today in Court be kept on record.

It appears that service has been effected on respondent no. 3 and, insofar as the respondent no. 4 is concerned, the envelope has returned with the endorsement 'unclaimed' upon several attempts of the postal peon to serve on the said respondent, which tantamounts to good service.

As such, the matter is taken up for hearing today.

The grievance of the petitioner is that, despite the petitioner having applied for a new electricity connection, the CESC Limited is not being able to give such connection and/or take inspection for giving such connection due to resistance put up by the respondent nos. 3 and 4.

Learned counsel appearing for the CESC Limited supports such contention insofar as the allegation of the petitioner is concerned that the CESC Limited personnel could not hold an inspection for the purpose of ascertaining the plausibility of giving a new electricity connection to the petitioner due to resistance created by the private respondents.

Since the private respondents choose not to appear despite service, the writ petition is taken up for hearing in the absence *of* the private respondents.

WPA No. 6455 of 2022 is disposed of with a direction on the CESC Limited to hold an inspection at the premises of the petitioner, in order to ascertain the feasibility of giving new electricity connection to the petitioner as per the petitioner's application, within a week from date. In the event it is ascertained that it is feasible for the CESC Limited to give such connection, then, subject to compliance of due formalities by the petitioner, the CESC Limited shall give such new connection to the petitioner within a fortnight thereafter.

It is made clear that in the event the CESC Limited personnel face any obstruction from any quarter, including the respondent nos. 3 and 4 and/or their men and agents, in either taking inspection or subsequently, if plausible, in giving such connection to the petitioner at the existing meter board position, it will be open to the CESC Limited personnel to

approach the respondent no. 5, that is, the Officer-in-Charge of the New Market Police Station, for adequate police assistance for the purpose of taking such inspection and giving such connection.

The respondent no. 5 shall grant such police help at the cost of the petitioner, if so approached by the CESC Limited personnel, for the purposes as indicated above.

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

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.)