

11
17.05.2022
TN

WPA No.7619 of 2022

Punit Shaw
Vs.
The Calcutta Electric Supply Corporation
Limited and others

Mr. Partha Chakraborty,
Ms. Sharmistha China

.... for the petitioner

Ms. A. Rao

.... for the CESC Limited

Mr. Partha Pratim Roy,
Mr. Ram Chandra Guchhait

.... for the State

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

It appears that, despite proper attempt to serve,
the private respondents have not received copies of
the writ petition and the envelopes sent to them have
returned with the endorsement 'not claimed'. Since
such attempt tantamounts to good service, the writ
petition is taken up for hearing in the absence of the
private respondents.

The grievance of the petitioner is that, despite
having applied for a new electricity connection at the

premises where the petitioner is carrying on business in the capacity of a tenant, the Calcutta Electric Supply Corporation Limited (for short “the CESC Limited”) has not been giving such new connection to the petitioner in view of the resistance put up by the private respondents nos.5 and 6, who are the landlords of the said property.

Learned counsel appearing for the CESC Limited submits that, despite the petitioner having applied and the CESC personnel have attempted to take an inspection in the premises for the purpose of ascertaining the feasibility of giving such connection, due to obstruction created by the private respondent nos.5 and 6 and their men and agents, such inspection could not be carried out.

It is further submitted that the private respondents gave objections on every occasion when the CESC personnel sought to take such inspection; as such, unless police protection is given to the CESC personnel, it will be difficult to take such inspection or give the connection, even if otherwise feasible.

In such view of the matter, WPA No.7619 of 2022 is disposed of by directing the CESC Limited to hold an inspection at the tenanted premises of the petitioner, as per the application for new connection made by the petitioner, within a week from date. In

the event it is found that such new connection can be given to the petitioner, subject to compliance of all formalities, the CESC Limited shall give such connection to the petitioner within a fortnight thereafter subject, of course, to the compliance of all necessary formalities by the petitioner.

In the event any obstruction is raised by the private respondents nos.5 and 6 in taking such inspection or at the instance of giving such connection to the petitioner, it will be open to the CESC personnel to approach the respondent no.4, that is, the Officer-in-Charge, Kasba Police Station for giving adequate police assistance to the CESC personnel for the purpose of giving such connection and, prior thereto, for taking the inspection. Such police help shall be provided at the cost of the petitioner.

It is made clear that the police personnel will be at liberty to break open any padlock or other hindrance, if put up by the private respondents on way of access of the CESC personnel to the existing meter board position at the said premises, for the limited purpose of the CESC personnel holding such inspection and giving the connection.

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.)