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17.05.2022
TN

WPA No. 8122 of 2022

Kripashanker Tiwari @ Kripa Shankar Tiwari
Vs.
CESC Ltd. and others

Mr. Lal Ratan Mondal,
Sk. Kiran

.... for the petitioner

Ms. Smita Das De

.... for the CESC Limited

Mr. Jahar Dutta,
Mr. Jaladhi Das

.... for the State

Affidavit-of-service filed in court today be kept on record. Despite service, none appears for the private respondent no.4.

The petitioner contends that despite the petitioner having applied for a new electricity connection at the premises, where the petitioner is residing, no such connection has been given by the CESC Limited as yet.

Learned counsel for the CESC Limited contends that a previous application for new connection made by the petitioner/tenant had been refused in or around December, 2021 on the ground that the

petitioner was already enjoying an electricity connection at the same premises.

Be that as it may, the CESC Limited is now hesitant to give a new electricity connection to the petitioner for the above fact as well as due to there being a cloud as regards the present ownership of the property-in-question, since the CESC Limited has vaguely come to know that there might have been a transfer of hands of the ownership in the meantime.

However, learned counsel appearing for the CESC Limited, on instruction, submits that the CESC Limited has no specific objection to hold an inspection on the basis of the new application filed in March, 2022 by the petitioner for a new electricity connection and, subject to the outcome of the said inspection, to decide as to the feasibility of giving a new connection to the petitioner.

In view of the above developments, as recorded in this order, WPA No.8122 of 2022 is disposed of by directing the CESC Limited to hold an inspection at the premises-in-question, pursuant to the fresh application for new electricity connection made by the petitioner, within a fortnight from date. In the event the CESC personnel face any obstruction in getting access to the existing meter board position in the premises, from the end of the private respondent no.4

and/or from any other quarter, it will be open to the CESC personnel to approach the respondent no.3, the Officer-in-Charge, Entally Police Station for adequate police assistance in that regard. If so approached, the respondent no.3 shall grant such police assistance to the CESC personnel, as required for the purpose of holding such inspection, at the cost of the petitioner.

It is, however, made clear that, at this juncture, the contentions of the CESC Limited in respect of the feasibility of giving such new connection to the petitioner has not been entered into on merits and it will be open to the CESC Limited to decide, on the basis of the inspection held by them, as to the feasibility of giving such new connection to the petitioner, subject to compliance of formalities by the petitioner. Whatever may be the outcome of the inspection, the CESC Limited shall intimate the same duly to the petitioner at the earliest after such inspection is held.

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.)