

AD-16
Ct No.09
28.09.2022
TN

WPA No. 10345 of 2021

Shri Sita Ram Choudhury
Vs.
Calcutta Electric Supply Corporation Limited
and others

Mr. Pawan Kr. Gupta,
Mr. Vijay Verma,
Ms. Sofia Nehar,
Mr. Santanu Seth

.... for the petitioner

Mr. Debanjan Mukherji

.... for the CESC Limited

Mr. Taposh Kr. Adikari,
Mr. Bipin Ghosh

.... for the State

Affidavits-in-opposition and reply filed today be
kept on record.

When the matter is called on for hearing, it is
rightly pointed out by learned counsel that it was
erroneously recorded in the order dated August 13,
2021 that the writ petition had been disposed of,
whereas affidavits had been directed and the writ
petition was still pending.

The scope of grievance of the writ petitioner is
that the Calcutta Electric Supply Corporation Limited
(CESC Limited) is not giving electricity connection to
the petitioner. It was sought to be contended
previously by learned counsel for the petitioner that

there are sufficient materials on record to substantiate that there is no impediment in giving the electricity connection to the petitioner.

At the present juncture, when the matter is taken up for hearing, it is submitted by learned counsel for the CESC Limited that there is no objection, in principle, on the part of the CESC Limited to give the electricity connection to the petitioner, subject to compliance of all formalities by the petitioner. It is submitted by learned counsel for the CESC Limited, on instruction, that the petitioner has, in fact, complied with the formalities in the meantime.

Hence, there cannot be any other impediment to give the electricity connection to the petitioner. In such view of the matter, there is no further requirement to keep the writ petition pending.

However, learned counsel for the CESC Limited apprehends, on instruction, that the CESC personnel may face obstruction in giving electricity connection to the petitioner at the premises-in-question.

Accordingly, WPA No. 10345 of 2021 is disposed of by directing the CESC Limited to give electricity connection to the petitioner as per the application of the petitioner as expeditiously as possible, positively

by the end of October, 2022 at the existing meter board position.

In the event any obstruction is faced by the CESC personnel from any quarter, including the private respondents and/or their men and agents, it will be open to the CESC personnel to approach the respondent no.6, the Officer-in-Charge, Belur Police Station, Howrah for adequate police assistance in that regard.

If so approached, the respondent no.6 shall act on a server copy of this order, without insisting upon prior production of a certified copy thereof, and give such assistance to the CESC personnel for the limited purpose of getting access to the existing meter board position for giving the new electricity connection to the petitioner. Such police help will be given at the cost of the petitioner.

If any padlock or other hindrance is put up to prevent the access of the CESC personnel, the police personnel will be at liberty to remove such padlock or other hindrance for the limited purpose as indicated above.

It is, however, clarified that the respective contentions of the private parties with regard to the right, title and interest of the private parties in the

property have not been entered into by this court in any manner whatsoever.

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.)