

S/L. 7.
July 8, 2022.
MNS.

WPA No. 11932 of 2022

Ashish Seal
Vs.
CESC Limited and others

Mr. Tapas Mukherjee,
Ms. Aindrila Chatterjee

...for the petitioner.

Mr. Saurav Chaudhuri

...for the CESC Limited

Mr. H. S. Chakraborty,
Mr. Mrinal Kanti Ghosh

... for the State.

Despite service, none appears on behalf of the private respondent no. 5 when the matter is called on for hearing.

It is revealed from the affidavit-of-service that the private respondent has already been served properly.

Hence, the matter is taken up for hearing in the absence of the private respondent.

Learned counsel for the petitioner submits that due to resistance put up by respondent no. 5, the CESC Limited personnel are not being able to give electricity connection as per the petitioner's application.

Learned counsel appearing for the CESC Limited contends that the CESC Limited personnel are otherwise ready and willing to give such connection, subject to compliance of all due formalities. However, due to resistance created by the respondent no. 5, the CESC Limited could not give such connection.

Learned counsel for the CESC Limited seeks four weeks' time for giving electricity connection to the petitioner and also asks for police assistance in that regard in view of the resistance being put up by respondent no. 5.

Upon hearing learned counsel for the parties, it transpires that the prayer made by the writ petitioner is justified.

Accordingly, WPA No. 11932 of 2022 is allowed, thereby directing the CESC Limited to effect new electricity connection to the petitioner, subject to compliance of all formalities by the petitioner, from the existing meter board position, within four weeks from date.

In the event the CESC Limited personnel face any obstruction from the private respondent no. 5 and or his men and agents, it will be open to the CESC Limited personnel to approach the respondent no. 4, the Officer-in-Charge,

Narkeldanga Police Station, for adequate police assistance in that regard.

If so approached, the respondent no. 4 shall give such police assistance at the cost of the petitioner, at the earliest, for the limited purpose of enabling the CESC personnel to give such connection to the petitioner.

In the event any padlock or hindrance is put up in the way of access of the CESC Limited personnel to the existing meter board position for the limited purpose of giving electricity connection to the petitioner, it will be open to the police personnel to use force to break open the padlock or remove such hindrance for the purpose as indicated above.

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.)