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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 13104 of 2022

Biswanath Ghosh Dostidar

-vs.-

Calcutta Electricity Supply
Corporation Limited & Ors.

Mr. Triptimoy Talukder,
Mr. Abhiraj Tarafdar,
Mr. Diptomoy Talukder
...for the petitioner

Mr. Ramchandra Guchhait
...for the CESC Limited

Mr. Kapil Guha
...for the State

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

Despite good service on at least one of the private
respondents, all of whom reside at the same address and
are related to each other, none appears for the private
respondents, although the State of West Bengal and CESC
Limited are represented through counsel along with the
petitioner.

Learned counsel appearing for the petitioner
submits that despite the petitioner, as a co-owner, having
applied for new electricity connection in his own name and
having complied with the initial formalities, the CESC
personnel were obstructed from entering the location of

the meter room for the purpose of installing a new meter due to resistance created by the respondent nos. 5 and 6 and/or their men and agents.

Such contention is corroborated by learned counsel appearing for the CESC Limited.

Since the private respondents have, as per instruction of learned counsel for the CESC Limited, not filed any written objection but are physically resisting the CESC personnel, whereas the CESC Limited has no objection on principle to give such connection to the petitioner, there cannot be any impediment created by the private respondents without any legal sanction.

Accordingly, W.P.A. No. 13104 of 2022 is disposed of by directing the CESC Limited to install a new electricity meter of the petitioner, subject to compliance of all formalities by the petitioner, as expeditiously as possible, preferably within a week from date and/or from compliance of formalities by the petitioner, whichever is later.

In the event the CESC personnel are offered resistance by respondent nos. 5 and 6 and/or their men and agents in doing so, the CESC personnel shall be at liberty to approach the respondent no. 4, that is, the Officer-in-Charge, Dum Dum Police Station, for police help in that regard.

If so approached, such assistance shall be provided by respondent no. 4 on the basis of communication of the

learned Advocates for the parties, coupled with a server copy of this order, without insisting upon prior production of a certified copy thereof, at the cost of the petitioner.

If need be, the police personnel will be at liberty to remove any padlock and/or other hindrance to the access of the CESC personnel for the limited purpose of giving the new connection to the petitioner.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)