

15th September,
2022
(AK)
05

W.P.A 19312 of 2022

Md. Alauddin
Vs.
CESC Limited and others

Mr. Uddipan Banerjee
...for the petitioner.

Mr. Suman Ghosh
...for the CESC Limited.

Mr. Swapan Kr. Pal
...for the State.

Mr. Nayeemuddin Munshi
...for the respondent no. 3.

Mr. Arif Ali
...for the respondent no. 7.

Learned counsel for the petitioner contends that the petitioner seeks a new electricity connection.

Learned counsel for the CESC Limited files a report as per previous direction of court, which be kept on record.

It is indicated in the report that there already exists a service with 25 sq mm cable having one meter at meter board position. The meter board was found technically feasible by the CESC Limited for another meter to be accommodated. However, the CESC has opined that considering the pending application for metered supplies, strengthening of the said service cables etc. are required.

Since the objection raised by the private respondents are primarily on the premise that the right, title and contention of the private respondents in a pending civil suit between the private respondents and other co-owners may be affected by the electricity connection being given in a new position, such objection loses relevance in view of the stand taken by the CESC Limited that the existing meter board position would suffice to accommodate the new meter.

Hence, WPA 19312 of 2022 is disposed of by directing the CESC Limited to give the electricity connection to the petitioner at the existing meter board position, subject to compliance of all formalities by the petitioner, preferably within a fortnight from completion of all formalities by the petitioner.

In the event any objection is raised to the CESC personnel giving such connection at the existing meter board position from any quarter, it will be open to the CESC personnel to approach the respondent no.11, that is, the Officer-in-Charge of the New Market Police Station, for adequate police assistance, which will be given by the respondent no.11 at the cost of the petitioner.

In the event any hindrance or padlock is affixed to prevent the CESC personnel from getting access to the existing meter board position, it will be open to the police

personnel to remove such hindrance or padlock for the limited purpose of giving access to the CESC personnel.

The respondent no.11 and all concerned shall act on the server copy of this order for the purpose of compliance, without insisting upon prior production of a certified copy of the same.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)