

S/L. 44.
September 1, 2022.
MNS.

WPA No. 19378 of 2022

Mr. Debjit Gupta
Vs.
CESC Limited and others

Mr. J. Baru,
Mr. Sugata Mukhopadhyay

... for the petitioner.

Mr. Debanjan Mukherjee

...for the CESC Limited.

Learned counsel for the petitioner contends that, due to objection raised by the private respondent no. 6, no new electricity connection has been given to the petitioner.

Learned counsel for the CESC Limited, on instruction, submits that subject to compliance of formalities, the CESC Limited has no objection in giving a new electricity connection through loop meter to the petitioner.

However, learned counsel for the petitioner as well as the CESC Limited corroborate the allegation that due to resistance created by respondent no. 6 and his men and agents, such connection is not being given to the petitioner.

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

Since the respondent no. 6 chooses not to be represented despite good service, the matter is taken up for disposal in the absence of the private respondent no. 6.

In view of the contentions raised in the writ petition, WPA No. 19378 of 2022 is disposed of by directing the CESC Limited to give a new electricity connection to the petitioner, through a loop meter or as feasible, subject to compliance of formalities by the petitioner, preferably within a week from date, from the existing meter board position.

In the event any obstruction is put up by respondent no. 6 and/or his men and agents in the CESC Limited giving such connection, it will be open to the CESC Limited to approach respondent no. 5, that is, the Officer-in-Charge, Uttarpara Police Station, for police assistance in that regard. If so approached, the respondent no. 5 shall act on the written communication of the learned Advocate for the petitioner, accompanied by a server copy of this order, and grant such assistance to the CESC Limited personnel at the cost of the petitioner.

In the event it is necessitated for giving such connection to break open any padlock or other hindrances to the access of the CESC Limited personnel to the existing meter board position, the police authorities shall be free to break open the padlock and/or remove the hindrances for the limited purpose of giving access to the CESC Limited personnel for giving electricity connection to the petitioner.

It is made clear that the respective right, title and interest of the petitioner and the private respondent no.6 have not been gone into by this Court with regard to the premises-in-question and it will be open to the private parties to urge such points before any other competent forum.

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.)