

S/L. 15.
September 26, 2022.
MNS.

WPA No. 20491 of 2022

Abul Hossain Molla @ Abdul Hossain Molla
Vs.
CESC Limited and others

Mr. Bidyut Halder,
Mr. Indranil Halder

... for the petitioner.

Mr. Ram Chandra Guchhait

...for the CESC Limited.

Mr. Sambhunath De,
Mr. Ranjit Kumar Ghosh

...for the respondent no. 4.

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

Despite service, none appears on behalf of
the private respondent no. 5.

The grievance of the petitioner is that due
to obstruction created by the private respondents,
the service connection sought by the petitioner
could not be given by the CESC Limited.

Learned counsel appearing for the
respondent no. 4 submits that the said
respondent is merely a neighbour and there is a

title dispute between the petitioner and the other private respondent.

Be that as it may, since the petitioner has a right under Section 43 of the Electricity Act, 2003 (2003 Act) to get independent electricity connection subject to compliance of all formalities, there cannot be any further hindrance in the CESC Limited giving such connection to the petitioner, since it is contended by the petitioner that preliminary formalities have already been complied with by the petitioner.

However, since learned counsel for the CESC Limited submits that further formalities have to be complied with by the petitioner upon issuance of offer letter, WPA No. 20491 of 2022 is disposed of by directing the CESC Limited to give service connection to the petitioner at the premises-in-question, subject to compliance of due legal formalities for getting such service connection, as expeditiously as possible, positively within three weeks from date.

If the CESC Limited personnel face any obstruction from the private respondents and/or their men and agents in doing so, it will be open to the CESC Limited personnel to approach the respondent no. 3, that is, the Officer-in-Charge,

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

If so approached, the respondent no. 3 shall act on the written communication of the learned Advocates for the parties, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof, and grant such assistance to the CESC Limited personnel at the cost of the petitioner.

If any hindrance is put up to prevent the access of the CESC Limited personnel, it will be open to the police authorities to remove such hindrance.

The parties shall act on the written communication of the learned advocate for the petitioner, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof for implementation of the same.

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.)