

AD-13
Ct No.09
19.09.2022
TN

WPA No. 21352 of 2022

M/s. Shyam Bhandar
Vs.
The Calcutta Electric Supply Corporation (India)
Limited and others

Mr. Palash Mukherjee

.... for the petitioner

Ms. Sreemoyee Mitra

.... for the CESC Limited

Petitioner's learned Advocate shall file the affidavit-of-service during the course of the day positively. It is submitted by learned counsel for the petitioner that the intended service on the private respondent no.4 has returned with the endorsement "door locked".

Since such service is an adequate attempt to cause service on the private respondent, no further direction of service is being given.

Learned counsel for the petitioner as well as learned counsel for the CESC Limited contend that, due to the obstruction offered by respondent no.4 and/or his men and agents, a new electricity connection cannot be given to the petitioner by the CESC Limited at the existing meter board position at the premises-in-question.

In such view of the matter, WPA No. 21352 of 2022 is disposed of by directing the CESC Limited to give the new electricity connection to the petitioner as per the petitioner's application, subject to compliance of all other formalities by the petitioner, as expeditiously as possible, preferably within a fortnight from date.

In the event the CESC personnel are obstructed by respondent no.4 and/or his men and agents while doing so, it will be open to the CESC personnel to approach the local police station for police assistance in that regard. If so approached, the Inspector-in-Charge/Officer-in-Charge (as applicable) of the local police station shall act upon the written communication of the learned Advocate(s) for the petitioner/CESC Limited, accompanied by a server copy of this order, for the purpose of granting such police assistance at the cost of the petitioner. In the event any padlock or other hindrance is put up to the way of access to the CESC personnel in respect of the existing meter board position for the above purpose, it will be open to the police personnel to break open such padlock or remove such hindrance for the limited purpose as indicated above.

The civil rights and/or contentions of the private parties have not been gone into by this court.

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.)