

C/L. 138.
September 28, 2022.
MNS.

WPA No. 21095 of 2019

Wasim Raja
Vs.
Calcutta Electric Supply Corporation Ltd.
and others

Mr. K. K. Bhattacharyya,
Ms. Soumashree Dtta

... for the petitioner.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh

...for the CESC Limited.

It transpires from the affidavit-of-service, which is kept on record, that proper service has been effected on the private respondent no. 5. However, when the matter is called on for hearing, none appears for the private respondent, although the petitioner and the CESC Limited are represented through counsel.

Learned counsel for the petitioner contends that primarily due to the resistance put up by private respondent no. 5, the CESC Limited is not being able to give electricity connection to the petitioner, as per the petitioner's application.

In view of such grievance having been raised and the submission made by learned

counsel for the CESC Limited that the petitioner has complied with the necessary formalities, but the electricity connection could not be given due to obstruction created by the private respondent no. 5, the matter can only be resolved with a direction on the police to assist the CESC Limited personnel in giving connection.

Accordingly, WPA No. 21095 of 2019 is disposed of by directing the CESC Limited to give electricity connection to the petitioner as per the petitioner's application positively within four weeks from date. In the event there any obstruction is raised by the private respondent no. 5 and his men and agents, the CESC Limited personnel will be at liberty to approach the respondent no. 6, that is, the Officer-in-Charge, Ekbalpur Police Station, for adequate police assistance in that regard.

If so approached, the respondent no. 6 shall act on the server copy of this order and grant such assistance to the CESC Limited at the cost of the petitioner, without insisting upon prior production of a certified copy thereof.

It is made clear that in the event, the CESC Limited personnel face any resistance by way of a padlock or other hindrance being put up

to prevent the access of the CESC Limited personnel to the location, where the meter is to be installed, it will be open to the police authorities to break open such padlock or remove such hindrance for the limited purpose of giving access to the CESC Limited personnel for the reason as indicated above.

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.)