

AD-10
Ct No.09
23.12.2022
TN

WPA No. 28386 of 2022

Basudeb Das
Vs.
CESC Limited and others

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder

.... for the petitioner

Mr. Ram Chandra Guchhait

.... for the CESC Limited

The grievance of the petitioner is that the petitioner, being a tenant in respect of the property-in-question, sought an electricity connection in his own name. However, the CESC Limited is not being able to give such connection due to resistance by the landlady/respondent no.4.

The affidavit-of-service filed today be kept on record. It is seen from the same that the attempted service has been refused by the landlady. As such, it is deemed that proper service has been effected on respondent no.4.

Since the CESC Limited has no objection in principle to give such electricity connection to the petitioner, as submitted by learned counsel for the CESC Limited on instruction, there cannot be any further impediment for the CESC Limited to give

electricity connection to the petitioner, who is in settled occupation, irrespective of any objection raised by the landlady.

As such, WPA No. 28386 of 2022 is disposed of by directing the CESC Limited to give a new electricity connection in the name of the petitioner at the existing meter board position of the property-in-question within a fortnight from the date of compliance of all formalities by the petitioner in that regard and/or this date, whichever is later.

It is, however, made clear that the electricity line, as and when given, shall not create any special equity, right or interest in favour of the petitioner, to which the petitioner is otherwise not entitled in law, in respect of the property.

In the event the CESC personnel face any obstruction from respondent no.4 and/or her men and agents while giving such connection to the petitioner, the CESC Limited will be at liberty to approach respondent no.3, the Officer-in-Charge, Narkeldanga Police Station, for police assistance. Upon such approach being made, respondent no.3 shall act on the server copy of this order and give such assistance to the CESC personnel at the cost of the petitioner and remove any hindrance or padlock in the process, if put up by the landlady/respondent no.4

and/or her men and agents to impede the access of the CESC Limited personnel to the existing meter board position for the limited purpose 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.)