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ORDER SHEET

WPO/1704/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

GOUTAM KUMAR BISWAS
-VS-
CALCUTTA ELECTRIC SUPPLY CORPORATION LIMITED (CESC) AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 21st February, 2022.

[Via video conference]

Appearance:

Mr. Jayanta Narayan Chatterjee, Adv.

Mr. Debashis Banerjee, Adv.

Mr. Supreem Naskar, Adv.

...for the petitioner

Mr. Debasish Ghosh, Adv.

...for the State

Ms. Aparajita Rao, Adv.

...for the respondent no.1

The Court: Learned counsel for the CESC Limited hands over a short report, annexing draft proposals for the new connection to be given to the petitioner at premises no.45A/1.

The petitioner, the State and the CESC Limited are represented through counsel. As the matter is pending for a long time, the same is being taken up ex parte in the absence of the private respondent.

It is evident from the diagram annexed at page 4 of the report filed by the CESC Limited that the shortest possible route to give electric

connection to the petitioner would be as indicated by the red branch line, which would connect the underground cable passing immediately adjacent to the property to the petitioner's premises.

There cannot be any impediment for the private respondent, who claims certain portion in the adjacent passage; since underground cable already exists at the location, via which electric connection to the private respondent has been given as well.

In such view of the matter, WPO/1704/2021 is disposed of by directing the CESC Limited to give electric connection to the petitioner at premises no.45A/1 subject to compliance of all formalities by the petitioner, on the route marked by red line at page 4 of the report filed by the CESC Limited, as expeditiously as possible, preferably within three weeks from date and/or from the date of compliance of all formalities, whichever is later.

In the event any resistance is put up to the CESC personnel in doing so, it would be open to the CESC personnel to approach respondent no.4, the Officer in-charge of Jadavpur Police Station for police assistance. If such an approach is made, the respondent no.4 shall provide adequate police assistance for the said purpose at the cost of the petitioner.

Parties shall act on the server copy of this order without insisting upon prior certified copy.

No order as to costs.

(SABYASACHI BHATTACHARYYA, J.)