

D/L. 11.
March 13, 2023.
MNS.

WPA No. 2827 of 2023

Dharmendra Singh
Vs.
State of West Bengal and others

Mr. Dev Kumar Sharma

... for the petitioner.

Mr. Himadri Sikher Chakraborty,
Mr. S. T. Mina

...for the State.

Mr. Srijan Nayak

...for the CESC Limited.

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett

...for the respondent no. 5.

Learned counsel for the CESC Limited
files a report in Court today, which be kept on
record.

It appears from the said report that the
petitioner had shown a passage during the
inspection held by the CESC Limited for laying
cable, which admittedly belongs to both the
petitioner as well as the objector, for providing
new electricity service connection to the
petitioner.

Since the CESC Limited is of the opinion, as per the report, that technically it is possible to give electricity connection to the petitioner, that is, the new service connection with a new meter, by laying cable through the common passage, there cannot be any further impediment in giving such new electricity service connection.

WPA No. 2827 of 2023 is accordingly disposed of by directing the CESC Limited to give new electricity service connection to the petitioner by laying cable through the common passage as indicated by the petitioner as expeditiously as possible, subject to the petitioner complying with all formalities in that regard, preferably within three weeks from the date of compliance of such formalities by the petitioner.

In the event any obstruction is raised by the private respondents and/or their men and agents, it will be open to the CESC Limited personnel to approach the local police station for adequate police assistance. If so approached, the Officer-in-Charge/Inspector-in-Charge of the concerned police station shall grant such assistance at the cost of the petitioner by acting on a server copy of this order without insisting upon prior production of a certified copy thereof.

However, it is made clear that laying of such cable and giving of such new electricity service connection to the petitioner shall not *per se* adversely affect the right, title and interest of any of the parties, including the petitioner and the private respondents, over the passage.

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.)