

8th September,
2023
(AK)
11-12

CPAN 778 of 2023
In
WPA 2793 of 2023
With
WPA 4068 of 2023

Uday Sharma and another
Vs.
Sri Subrata Das, the Officer-in-Charge, South Port Police
Station and others

Mr. Bidyut Kr. Halder
Mr. Indranil Halder
Ms. Neha Singh

...for the petitioners.

Mr. Asim Kr. Ganguly
Mr. Tarak Karan
Mr. Tanay Chakraborty

...for the alleged contemnor no.1.

Mr. Suman Ghosh
Mr. Manoj Mondal

...for the CESC Limited.

1. A compliance report has been filed by the alleged contemnors.
2. It is submitted by the alleged contemnors that since there was no specific direction in the parent order dated March 17, 2023 to break open any padlock or remove hindrance, the police could not remove the lock affixed at the meter room.
3. Learned counsel for the Distribution Licensee submits that apart from the lock, a motor bike is persistently kept in front of the meter room, blocking access thereto.

4. It is seen from the order dated March 17, 2023 passed in WPA 2793 of 2023 and WPA 4068 of 2023 that adequate police assistance was to be given by the Officer-in-Charge of the South Port Police Station (respondent no.3) therein for the purpose of installing block meter and giving the electricity connection therein.

5. It is implicit in the said order that for giving such assistance, the police would be at liberty to remove any hindrance thereto, including breaking open any padlock, if so affixed.

6. Hence, let such directions be read into the order dated March 17, 2023 and the police shall act accordingly.

7. The matter shall be listed on September 29, 2023 for passing further orders.

8. In the meantime, the CESC Limited shall attempt afresh to give electricity connection to the petitioner in terms of the direction dated March 17, 2023 and the police will give adequate assistance in terms of this order, by acting on a server copy of the said order.

9. A further compliance report in that regard shall be filed by the alleged contemnors on the next date of hearing.

(Sabyasachi Bhattacharyya, J.)