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16.03.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 4902 of 2023

Shahbaz Hasan
Vs.
CESC Limited & Ors.

Mr. Uddipan Banerjee
...for the petitioner

Mr. Somnath Bose
...for the CESC Limited

Mr. Supratim Laha
...for the private respondent no. 3

Learned counsel appearing for the petitioner submits that due to obstruction raised by the private respondent no. 3, the CESC Limited could not hold an inspection for the purpose of ascertaining the feasibility of giving a new electricity connection to the petitioner.

Learned counsel appearing for the CESC Limited supports such contention.

Learned counsel appearing for the private respondent no. 3, however, contends on instruction that the said private respondent has never raised any obstruction to the petitioner taking an electricity connection at the premises-in-question. It is submitted by learned counsel that the allegations levelled in the writ petition are entirely incorrect.

Since no affidavits are invited, it is deemed that none of the allegations made in the writ petition are admitted by the respondents.

Be that as it may, since the issue stands resolved in view of the expression of no objection on behalf of the private respondent no. 3, W.P.A. No. 4902 of 2023 is disposed of by directing the CESC Limited to hold an inspection for the purpose of ascertaining the feasibility of giving a new electricity connection to the petitioner as per his application, within a week from date.

In the event it is found that the electricity connection can be given otherwise, the CESC Limited shall give such connection to the petitioner within a fortnight from the compliance of all formalities by the petitioner in that regard.

In either case, at the time of inspection or at the time of giving such connection, if the CESC personnel face any obstruction from any quarter, they will be at liberty to approach the respondent no. 4, the Officer-in-Charge, Burrabazar Police Station, for adequate police assistance.

If so approached, the respondent no. 4 shall act on the server copy of this order and grant such assistance to the CESC personnel on both such occasions at the cost of the petitioner.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)