

16<sup>th</sup> March,  
2023  
(AK)  
25

**W.P.A 5621 of 2023**

Dipak Sharma and others  
Vs.  
The CESC Limited and others

Mr. Narendra Prasad Gupta  
Ms. Alvina Bakhteyar  
...for the petitioners.

Mr. Somnath Bose  
...for the CESC Limited.

Mr. Himadri Sekhar Chakraborty  
Ms. Susnita Saha  
...for the State.

Despite service, none appears for the private respondents.

Learned counsel for the petitioners contends that due to the resistance offered by the private respondents/landlords, the CESC Limited is not being able to give new electricity connection to the petitioners as per the petitioners' application.

Learned counsel appearing for the CESC Limited agrees with such submission and contends that the private respondents and/or their men and agents obstructed the CESC personnel when they went to give the supply to the petitioners.

Since the private respondents choose not to appear despite service, WPA 5621 of 2023 is taken up *ex parte* in their absence.

In view of the above discussions, WPA 5621 of 2023 is allowed, thereby directing the CESC Limited to carry out an inspection for the purpose of ascertaining the feasibility to give electricity connection to the petitioners within a week from date.

In the event the CESC personnel are obstructed by the private respondents and their men and agents in doing so, it will be open to the said personnel to approach the respondent no.3, the Officer-in-Charge of the Liluah Police Station, for adequate police assistance at the cost of the petitioners.

The respondent no.3 shall act on the server copy of this order and give such assistance to the CESC Limited for the purpose of having access to the existing meter board room to hold the necessary inspection.

In the event the CESC Limited is of the view that it is so feasible and upon compliance of all formalities by the petitioners, the CESC Limited shall give the electricity connection to the petitioners within a fortnight from the compliance of all formalities in that regard by the petitioners.

It is made clear that if, at the juncture when the electricity connection is sought to be given to the petitioners, resistance is offered by the private respondents and/or their men and agents, it will be open to the CESC personnel, on that instance also, to approach the respondent no.3 for further police

assistance at the cost of the petitioners, which will be given by the respondent no.3 similarly at the cost of the petitioners by acting on a server copy of this order.

In the event any padlock or other hindrance is put up by the private respondents to obstruct the CESC personnel's access to the existing meter board position, either for the purpose of inspection or for giving the connection, it will be open to the police personnel to break open such padlock and remove such hindrance for the limited purpose as indicated above.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

**(Sabyasachi Bhattacharyya, J.)**