

WPA 10690 OF 2023

14.09.2023

Sl no. 27

Ct no. 2

P.M.

Sushanta Majumder

- Vs -

The CESC Limited & Ors.

Mr. Nilanjan Adhikari

... for the Petitioner

Mr. Debanjan Mukherjee,

Ms. Sremoyee Mitra

... for CESC

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has made a prayer for direction upon the respondent electricity authority concerned to provide the electricity connection at the premises in question of the petitioner.

Private respondents have refused service and return copy of the petition filed by the petitioner and notice be kept with the record.

Learned advocate appearing for the respondent electricity authority submits that there is practical difficulty in providing connection since for laying the cable to provide connection it will have to be laid over the land ownership which is disputed by the private respondents specifically respondent No. 4 and in such cases the petitioner should first approach the

authority concerned under first proviso to Rule 3 of Works of Licensees Rules, 2006.

Respondents electricity authority concerned submits that the electricity authority is ready and willing to provide the electricity connection to the petitioner but due to aforesaid difficulty they are not in a position to provide electricity connection to the petitioner.

Considering the facts and circumstances of this case and submission of the parties this writ petition being WPA 10690 of 2023 is disposed of by granting liberty to the petitioner to make appropriate representation under the aforesaid proviso of Rules 2006 within two weeks and if such representation is made, the authority concerned shall consider and dispose of the said representation by passing a reasoned and speaking order and after giving opportunity of hearing to the petitioner, the private respondents and the CESC authority, within a period of four weeks from the date of receipt of such representation.

(Md. Nizamuddin, J.)