

D/L. 13.
June 13, 2023.
MNS.

WPA No. 11286 of 2023

Sk Jahangir Ali
Vs.
Calcutta Electric Supply Corporation
and others

Mr. Maidul Islam Kayal,
Mr. Sumit Naksar

... for the petitioner.

Dr. Madhusudan Saha Roy

...for the CESC Limited.

Affidavit-of-service filed in Court today be
kept on record.

Despite service, none appears for the
private respondents.

The gamut of the issue is that the
petitioner has applied for a new service
connection, but due to obstruction, the CESC
Limited personnel cannot get access to the locale
for the purpose of laying cables to give new
service connection to the petitioner.

In view of the petitioner having the right
under Section 43 of the Electricity Act, 2003 to
get an electricity connection in the petitioner's
name subject to compliance of due formalities,

such right cannot be prevented by obstruction from third persons.

Accordingly, WPA No. 11286 of 2023 of 2023 is allowed, thereby directing the CESC Limited to lay the required cables and give the new connection to the petitioner as expeditiously as possible, positively within four weeks from the date of compliance of all formalities and/or from this date, whichever is later.

It is made clear that if any obstruction is offered by the private respondents and/or their men and agents in doing so, the CESC Limited personnel will be at liberty to approach the respondent no. 8, that is, the Officer-in-Charge, Budge Budge Police Station for adequate police assistance. If so approached, the respondent no. 8 shall act on the server copy of this order and give such assistance to the CESC Limited personnel 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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)