

14  
08.06.2023  
mb

In the High Court at Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

W.P.A. No. 12342 of 2023

Samor Paul

-vs.-

The Calcutta Electric Supply  
Corporation Limited & Ors.

Mr. Debanik Banerjee,  
Mr. Aniruddha Ganguly  
...for the petitioner

Mr. Ramchandra Guchhait  
...for the CESC Limited

Mr. Syed Nasirul Hossain  
...for the State

Learned counsel appearing for the petitioner contends that after much deliberation, the Calcutta Electric Supply Corporation Limited (CESC Limited) agreed to give an electricity connection to the petitioner and raised an estimate for such purpose. The petitioner made the requisite payment. However, thereafter, on two occasions, by two communications, the CESC Limited intimated the petitioner that three works are to be completed by the petitioner before such connection could be given. The first of those was that a meter board shed has to be extended. The second, that a kiosk for street lighting service has to be installed and thirdly, a main switch has to be installed.

The first and third jobs, as required by the CESC Limited, have already been completed by the petitioner.

However, the petitioner is unable to understand the exact connotation of the second requirement of the CESC Limited.

Learned counsel appearing for the CESC Limited, on instruction, submits that although the petitioner has complied with the first and the third requirements and the CESC Limited no longer insists upon the second requirement of installation of a kiosk, due to resistance of local neighbours of the petitioner, the CESC personnel are not being able to give a new connection to the petitioner by undertaking the necessary work of laying underground cable. It is submitted that for such purpose, the CESC Limited went to the locale at least on four occasions, but in vein.

On query of court, learned counsel for the CESC Limited submits that no specific written objection was filed by any person to the electricity connection being given to the petitioner.

In any event, the nature of work to be undertaken by the CESC Limited for laying underground cable for giving connection to the petitioner is of a temporary nature and cannot hamper the right of any person, subject to the CESC Limited complying with due formalities of law while undertaking such work.

Hence, W.P.A. No. 12342 of 2023 is allowed, thereby directing the CESC Limited to give electricity connection to the petitioner upon undertaking the

necessary works in accordance with law and procedure, latest by three weeks from date.

If any obstruction is raised from any quarter in doing so, the CESC personnel will be at liberty to approach the respondent no. 3, that is, the Officer-in-Charge of Bhowanipore Police Station, who will grant adequate police assistance at the cost of the petitioner in such case by acting on a server copy of this order.

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.)