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28.07.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 16835 of 2023

Mrs. Swati Dalui & Anr.
Vs.
The Calcutta Electric Supply
Corporation Limited & Ors..

Mr. Nitai Chandra Saha,
Mr. Chinmoy Pati,
Mr. Abjijit Chandra Majumder
...for the petitioners

Mr. Ram Chadra Guchhait
... for the CESC Limited

Despite service, none appears for the private respondents, although the petitioners and the Distribution Licensee are represented through counsel.

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

The petitioners have purchased the ground floor of the property-in-question from the respondent no. 4. The respondent no. 4, apparently, has also sold the first floor of the same building to the respondent no. 5.

However, when the petitioners sought to get a new electricity connection in the petitioners' name, the respondent no. 5 has been objecting to the same.

Learned counsel appearing for the Calcutta Electric Supply Corporation Limited (CESC Limited) also submits that the CESC Limited has attempted thrice to give such connection to the petitioners but could not do so due to obstruction by the private respondents.

Since the petitioners have a right to get electricity connection at the premises-in-question, being in occupation of the ground floor thereof, W.P.A. No. 16835 of 2023 is disposed of by directing the CESC Limited to give a new electricity connection to the petitioners at the premises-in-question, as expeditiously as possible, positively within a week from date, subject to compliance of all formalities by the petitioners.

In the event any obstruction is raised by the private respondents or their men and agents, the CESC personnel will be at liberty to approach the respondent no. 3, that is, the Officer-in-Charge, Kalitala Ashuti Police Station, who will provide police assistance to the CESC personnel, if so approached, at the cost of the petitioners.

If any padlock or other hindrance is put up by the private respondents to prevent the CESC personnel from having access to the existing meter board position, it will be open to the police personnel to break open the padlock or remove the

hindrance for the purpose of giving access to the CESC personnel to the meter board position for compliance 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.)