

D/L. 8.
November 28, 2023.
MNS.

WPA No. 19189 of 2023

Sukhram Gupta
Vs.
CESC Limited (formerly Calcutta Electric
Supply Corporation Limited) and others

Mr. Amitava Pain,
Mr. Vivek Kumar Tripathi

... for the petitioner.

Mr. Srijan Nayek

...for the CESC Limited.

1. Affidavit-of-service filed in Court today be kept on record.
2. Although the respondent no. 5 has apparently been served, the envelope sent to respondent nos. 6 and 7, the other co-landlords, have returned with the endorsement "Left". The CESC Limited, however, is represented through counsel.
3. Since the respondent nos. 5 to 7 are co-landlords of the petitioner and one of them has accepted service, it is deemed that the other respondents are deliberately avoiding service and the extent and interest of the other respondents is sufficiently represented by respondent no. 5.

4. Thus, the matter is taken up for hearing in the absence of the private respondents.
5. The petitioner is visually impaired and applied for electricity connection, which was initially refused by the CESC Limited on the ground of splitting of load.
6. Upon moving this court in a writ petition, this court has referred the matter to the Grievance Redressal Officer. Upon such approach, the concerned GRO directed electricity connections to be given to the petitioners, which exercise was repeated by the GRO upon another subsequent application, but due to resistance by the private respondents, the CESC Limited could not give such connection to the petitioner.
7. Supplementary affidavit filed in Court today be kept on record.
8. It transpires from the records that there have been several orders of the GRO, which could not be implemented.
9. Due to such repeated attempts of the private respondents to thwart the lawful efforts of the petitioner to get electricity connection, it is only appropriate that police

help is granted to the CESC Limited to give such connection to the petitioner.

10. Accordingly, WPA No. 19189 of 2023 is disposed of by directing the CESC Limited personnel to give electricity connection to the petitioner within a fortnight from date, subject to compliance of all formalities by the petitioner.
11. In the event any obstruction is raised by the private respondents and/or their men and agents in doing so, it will be open to the personnel of the CESC Limited to approach the respondent no. 4, that is, the Officer-in-Charge, Bantra Police Station, for giving adequate police assistance, which will be given to the said respondent by acting on a server copy of this order, at the cost of the petitioner.
12. If necessary, the respondent no. 4 shall be entitled to remove any padlock or other hindrance for giving such connection.
13. It is made clear that nothing in this order shall prejudice the rights and contentions of the parties in the pending civil suits between the petitioner and the private respondents.

14. However, it is further clarified that nothing in this order shall create any special right or equity in favour of the petitioner, which the petitioner otherwise does not have in law.
15. There will be no order as to costs.
16. 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.)