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19.10.2023
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IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. No. 22769 of 2023

Pampa Thakur
Vs.
CESC Limited & Ors.

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder,
Ms. Neha Singh
.... for the petitioner

Ms. Nandini Mitra
....for the CESC Limited

- 1.** Affidavit-of-service filed in Court today be kept on record.
- 2.** Although two of the respondents/developers have not been served adequately, since the envelopes have returned with the endorsement “insufficient address”, the substantive resistance to the electricity connection being given to the petitioner is being raised by the other two respondents, who have been duly served. Hence the matter is taken up for hearing, particularly since the grievance the petitioner pertains to an essential service, which gives rise to urgency.
- 3.** Despite compliance with all formalities, the petitioner/occupant of the premises is not being given

electricity connection by the CESC Limited due to resistance of the private respondents.

4. As the petitioner is entitled in law and particularly under Section 43 of the Electricity Act, 2003 to get an electricity connection at the premises, there cannot be any impediment in the CESC Limited to give such connection.

5. Accordingly, W.P.A. No. 22769 of 2023 is allowed, thereby directing the CESC Limited to give electricity connection to the petitioner in the name of the petitioner within 48 hours from now, subject to compliance of all formalities by the petitioner, from the existing meter board position.

6. If any obstruction is put up by the private respondents and/or their men and agents, the CESC Limited shall be at liberty to approach the respondent no. 3, that is, the Officer-in-Charge, Topsia Police Station, who will provide adequate police assistance in such case at the cost of the petitioner, if necessary by removing any padlock or other hindrance put up to resist the CESC personnel in that regard.

7. There will be no order as to costs.

8. 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.)