

28th February,
2023
(AK)
03

W.P.A 28688 of 2022

Haider Ali
Vs.
CESC Limited and others

Mr. Indranil Halder
...for the petitioner.

Ms. Sreemoyee Mitra
...for the CESC Limited.

The inspection report filed in court today by the CESC Limited be kept on record.

It is submitted by learned counsel for the CESC Limited that the padlock fixed on the door of the meter board room was broken with the help of police personnel and the CESC personnel had an inspection, which reveals that there is adequate space to accommodate another meter.

Since, despite previous service, none appears for the private respondent, the matter is taken up *ex parte* in the absence of the private respondent.

In view of the petitioner having a right to have electricity connection under Section 43 of the Electricity Act, 2003 and since the CESC is of the opinion that another electricity meter can be installed on the existing meter board at the premises, there cannot be any further

hindrance to the electricity connection being given to the petitioner.

Accordingly, WPA 28688 of 2022 is disposed of by directing the CESC Limited to give a new electricity metered connection to the petitioner at the existing meter board position of the premises, subject to compliance of all formalities by the petitioner, within a fortnight from this date and/or the date of compliance of formalities, whichever is later.

In the event the CESC personnel are obstructed by respondent no.4 and/or his men and agents and/or any padlock is affixed to the meter board room entrance, the Officer-in-Charge of the Hastings Police Station, that is, respondent no.3, upon being so approached by the CESC personnel, shall give adequate police protection for the purpose of giving the CESC personnel access to the meter board room, if necessary by breaking open the padlock.

The parties shall act on the written communication of the learned Advocates for the parties, coupled with server copy of this order, without insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)