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06.03.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 598 of 2024

Anand Kumar Sharma
Vs.
CESC Limited & Ors.

Mr. Amitava Paine,
Mr. Vivek Kumar Tripathi
...for the petitioner

Mr. Debanjan Mukherjee
...for the CESC Limited

Mr. Tapan Coomaar Dey,
Mr. Soumen Chattejee
...for the State

1. According to the prayer of the learned advocate for the petitioner, leave is granted to the learned advocate for the petitioner to carry out necessary correction in the name of the petitioner in the cause title of the writ petition.
2. Police report filed today by learned counsel for the State be kept on record.
3. The petitioner claims to be a tenant in respect of the property-in-question. According to the petitioner, a consensus was arrived at that the petitioner will purchase the property from the private respondents/landlords. Subsequently, the private respondents resiled from such position and have disconnected the electricity supply of the petitioner.

4. Hence, the petitioner seeks electricity connection in his own name, for which he has deposited the requisite amount, but the electricity connection has not yet been given to the petitioner, giving rise to the present writ petition.

5. Learned counsel for the CESC Limited submits that due to resistance, the CESC Limited could not give such connection, but is otherwise willing to give the same.

6. Despite service, none appears for the private respondents.

7. Further affidavit of service filed today in that regard be kept on record.

8. W.P.A. No. 598 of 2024 is allowed, thereby directing the CESC Limited to give electricity connection to the petitioner within a fortnight from date.

9. In the event any obstruction is raised by the private respondents and/or their men and agents, the CESC Limited shall be at liberty to approach the respondent no. 6, that is, the Officer-in-Charge, Shibpur Police Station, for police assistance, who will grant adequate assistance to the CESC personnel at the cost of the petitioner.

10. For giving such connection, the police personnel will have a free hand in removing any obstruction or padlock or other hindrance if put up

by the private respondents to prevent the access of the CESC personnel.

11. There will be no order as to costs.

12. 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.)