

AD-14
Ct No.09
28.03.2024
TN

WPA No. 1048 of 2024

Sukanta Pal
Vs.
C.E.S.C. Ltd. and others

Mr. Sibnath Ganguly,
Mr. Argha Banerjee

.... for the petitioner

Mr. Debanjan Mukherjee,
Mr. Aziz Amin

.... for the CESC Limited

- 1.** Affidavit-of-service filed today be kept on record.
- 2.** The petitioner alleges that the petitioner has deposited the security deposit and complied with formalities in terms of the bill raised by the CESC Limited for getting a new electricity connection for operating his salon. However, such connection has not yet been given.
- 3.** Learned counsel for the CESC Limited hands over a copy of a communication purportedly made to the petitioner on October 30, 2023 indicating that the team deployed to execute the job was unable to do so due to objections raised by the “inmates” as well as that the access to the supply position was denied. The said communication be kept on record. However, it is unclear from the same as to who were the said objectors. Moreover, there is nothing on record to indicate that any written objection was filed by any

legitimate objector, disclosing the reasons for such objection.

4. The petitioner has annexed rent receipts indicating *prima facie* that the petitioner is in occupation of the property as a tenant.
5. Hence, there cannot be any impediment in the CESC Limited giving the electricity connection to the petitioner.
6. Accordingly, WPA No. 1048 of 2024 is allowed, thereby directing the CESC Limited to give the electricity connection to the petitioner within a fortnight from date and/or from compliance of all formalities, whichever is later, positively.
7. In the event any obstruction is raised from any quarter, it will be open to the CESC personnel to approach the respondent no.3, that is, the Inspector-in-Charge, Chitpur Police Station who will provide adequate police assistance to assist the CESC personnel in doing so at the cost of the petitioner.
8. In the event any padlock or other hindrance is put up to prevent the CESC personnel, it will be open to the police to remove such hindrance or padlock for the limited purpose of giving access to the CESC personnel to the existing meter board position at the locale.
9. The parties and all concerned shall act on the server copy of this order for the purpose of compliance.

- 10.** There will be no order as to costs.
- 11.** 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.)