

26<sup>th</sup> February,  
2024  
(AK)  
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**W.P.A 1186 of 2024**

Kamal Uddin Halder  
Vs.  
CESC Limited and others

Mr. Bidyut Kr. Halder  
Mr. Indranil Halder  
Ms. Neha Singh

...for the petitioner.

Ms. Sreemoyee Mitra

...for the CESC Limited.

Mr. Tanmoy Mukherjee  
Mr. Souvik Das  
Mr. K.P. Ahmed  
Mr. Rudranil Das

...for the respondent nos.4 to 7.

1. Affidavit-of-service filed in court today be kept on record.
2. The petitioner alleges that due to obstruction raised by the private respondents, the CESC Limited cannot give electricity connection to the petitioner nor can hold any inspection for such purpose.
3. Such stand is corroborated by learned counsel for the CESC Limited who contends that the inspection of the premises could not be held due to objection and obstruction by the private respondents.
4. Learned counsel appearing for the private respondents submits that there is chance of confusion inasmuch as the petitioner is in occupation of plot no. 215, which is a part of the

holding no. 240/7, as a co-owner of the private respondents.

5. However, the private respondents exclusively own plot no. 217 in holding no. 240/A, which is distinct and different from holding no. 240/7.
6. The private respondents apprehend that in the garb of connection being given to the petitioner, the service connection may be given at holding no. 240/A, thereby disrupting the private respondents' possession and ownership.
7. It transpires from the application made by the petitioner that he has sought connection at plot no. V-240/7.
8. Even as per the private respondents, the private respondents do not claim exclusive title to such plot.
9. Hence, there cannot be any impediment if an electricity service connection is given in terms of the application of the petitioner in plot no. V-240/7.
10. However, since the CESC Limited is to carry out a prior inspection to ascertain the feasibility of giving such connection, it has to be ensured that CESC Limited takes such inspection prior to giving the connection.
11. Accordingly, WPA 1186 of 2024 is disposed of by directing the CESC Limited to hold an inspection at

the premises-in-question to ascertain the feasibility of giving a service connection in terms of the petitioner's application at the concerned premises, that is, plot no. V-240/7 within a week from date.

12. In the event any obstruction is raised by the private respondents and/or their men and agents in such inspection being held, it will be open to the CESC personnel to approach respondent no.3, the Officer-in-Charge of the Rajabagan Police Station who will give adequate police assistance at the cost of the petitioner, removing any lock or other hindrance, if put up in the way of the CESC personnel.
13. Upon such inspection, if the CESC personnel is of the opinion that it is so feasible, it will issue an Offer Letter to the petitioner within a further week thereafter.
14. Upon the petitioner complying with all formalities, the CESC Limited shall give electricity connection to the petitioner within a fortnight from the date of such compliance of formalities.
15. In the event the CESC personnel is obstructed by private respondents and/or their men and agents even at the juncture of giving such connection, similar police protection shall be sought by the CESC personnel which will be granted by respondent no.3, again at the cost of the petitioner,

if necessary removing any padlock or other hindrance while doing so.

16. Parties shall act on a server copy of this order without insisting upon prior production of a certified copy for the purpose of compliance.
17. 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.)**