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28.03.2024  
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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. No. 5663 of 2024

Kaniz Fatma  
Vs.  
CESC Limited & Ors.

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

Mr. Uday Sankar Bhyattacharyya,  
Ms. Banani Bhattacharyya  
...for the respondents

1. Affidavit-of-service filed in Court today be kept on record.
2. It transpires that although two private respondents have been served, one could not be served conclusively.
3. The gamut of the dispute involved is that the petitioner has already complied with formalities, but no electricity connection could be given to the petitioner by the Calcutta Electric Supply Corporation Limited (CESC Limited) due to obstruction by the private respondents. No written objection has been given by the private respondents, nor are any of the served private respondents represented today.

4. Since there is nothing on record or before the CESC Limited to indicate the exact ground of such objection being raised by the private respondents, the petitioner, being in settled occupation of the property *prima facie*, is entitled to get electricity connection as sought.

5. Accordingly, W.P.A. No. 5663 of 2024 is allowed, thereby directing the CESC Limited to give a new service connection to the petitioner at the premises in question within a fortnight from date positively.

6. If any obstruction is raised by the private respondents and/or their men and agents in doing so, the CESC Limited will be at liberty to approach the respondent no. 3, that is, the Officer-in-Charge, Ekbalpore Police Station, who will provide adequate police assistance at the cost of the petitioner to the CESC personnel to ensure access of the CESC personnel.

7. In need be, the police personnel will be at liberty to remove any padlock or other hindrance, if put up to obstruct the CESC personnel from reaching the location-in-question.

8. The parties shall act on the server copy of this order without insisting upon prior production of a certified copy thereof.

9. There will be no order as to costs.

10. 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.)