

28.06.2024
Ct. No. 09
Item No.22
Cp

WPA No. 8406 of 2024

Md. Samim Laskar
Vs.
CESC Limited & Ors.

Mr. Bidyut Kr. Halder
Mr. Indranil Halder

..... for the petitioner.

Mr. Somnath Bose

.....for the CESC Ltd.

Mr. Debdipto Banerjee
Mr. Soumen Banerjee

.....for the respondent no. 4.

The petitioner is a resident of V-246, Kankhuly Road, Talpukur Ara, Kolkata – 700018. The petitioner applied for new connection, but his prayer was not acceded to by the CESC authority. The petitioner deposited the quotation money.

The CESC authority submits that due to the resistance of the respondent no. 4, connection could not be granted.

Everybody is entitled to electricity. The licensing company is duty-bound to supply electricity upon compliance of required formalities. The licensing company is required to find ways and means of supplying such essential commodity. If there is resistance from the respondent no. 4, it is the duty of the licensing company to provide connection by an

alternative route, or take such other steps if the resistance is unjustified and electricity has been provided to other persons within the locality.

If the licensing company finds that the application was not in the correct form or there is some mistake, then necessary rectifications may be advised to the petitioner. It is also for the licensing company to ascertain from the corporation as to whether Premises No. V-246, Kankhuly Road is separate from that of the respondent no. 4.

If the holdings have been separated, there cannot be any reason for not granting a new supply line to the petitioner. If the holdings have not been separated, then the CESC authority can explore the possibility of granting connection from the common meter board position. It is submitted that other persons are already enjoying electricity from the said meter board position.

It is the specific contention of the petitioner that the existing meter board position is on the corporation's road and no one can resist the petitioner from taking connection from the said common meter board position. All these aspects have to be looked into by the CESC authorities and the connection should be granted within four months from the date of communication of this order, if the contentions of the petitioner is found to be correct.

Necessary inspection shall be made in presence of the parties. The CESC authorities may also approach the local police authorities for necessary assistance.

It is made clear, that the supply line shall not create any equity and shall be subject to any civil litigation that may arise in future between the parties.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

All parties are to act on the basis of server copy of this order.

(Shampa Sarkar, J.)