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13.05.2024  
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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. No. 8959 of 2024

Susanta Dutta  
Vs.  
The C.E.S.C. Limited & Ors.

Mr. Prantick Ghosh,  
Mr. Prasad Bhattacharya,  
Mr. Yashovardhan Sha  
...for the petitioner

Dr. Madhusudan Saha Roy  
...for the CESC Limited

Mr. Debdipto Banerjee,  
Mr. Sourav Banerjee  
...for the respondent nos. 6 to 8

1. Affidavit of service filed in court today be kept on record.
2. It transpires from the same that service has been effected on the added respondent.
3. However, none appears for the said added respondent at the time of call.
4. The petitioner's grievance is that he is not getting new electricity connection at the premises-in-question due to obstruction by the added respondent, which is the stand of the Calcutta Electric Supply Corporation Limited (CESC Limited) as well.
5. In view of the petitioner being prima facie in settled occupation of the property, there cannot be

any reason why the facility of electricity supply should be denied to the petitioner.

6. Hence, W.P.A. No. 8959 of 2024 is disposed of by directing the CESC Limited to hold an inspection at the premises-in-question for the purpose of ascertaining the feasibility of giving electricity connection to the petitioner from the existing meter board position there. Prior notice shall be given before such inspection to the petitioner and the added respondent. Such inspection shall be conducted within a fortnight from date.

7. Upon such inspection, in the event the CESC Limited is of the opinion that it is feasible to give such connection, the CESC Limited shall issue an offer letter to the petitioner within three days thereafter.

8. Upon the petitioner complying with all formalities, the CESC Limited shall give such connection to the petitioner from the existing meter board position at premises No. 8, Laljee Shah Street, Kolkata-700028 within a fortnight from the date of such compliance.

9. In the event any obstruction is faced by the CESC personnel at any of the junctures, either at the time of holding inspection or giving such connection, from the private respondents and/or their men and agents, the CESC personnel shall approach the respondent no. 5, that is, the

Inspector-in-Charge, Dum Dum Police Station who, acting on the server copy of this order, shall provide police assistance to the CESC personnel both on the occasions of inspection and giving connection, at the cost of the petitioner, if need be removing any padlock or other hindrance, if put up to prevent the access of the CESC personnel while doing so.

10. It is made clear that the electricity connection, as and when given, shall not create any special right or equity in favour of the petitioner, which the petitioner does not otherwise have in law.

11. The electricity connection and/or any observations made herein shall not prejudice the rights and contentions of the parties in the pending civil litigation.

12. There will be no order as to costs.

13. 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.)