

S/L 17
16.07.2024
Court. No. 9
Sourav

WPA 11059 of 2024

**Amruddin Ahammad
Vs.
The CESC Limited & Ors.**

*Mr. Rishav Kumar Singh
Ms. Khushi Gupta
Mr. Soumalya Dutta*

...for the petitioner.

Mr. Sumon Banerjee

...for the CESC

*Mr. S. Ghoshal
Mr. Subhojit Mukherjee*

...for private respondent.

1. The petitioner claims new connection. The petitioner submits that he is in possession of a shop, as a tenant from the year 2006.
2. It is contended by the learned advocate for the CESC Limited that when the authority went to inspect the premises on several occasions, the meter board position was under lock and key and the respondent nos. 4 and 5 did not cooperate.
3. Learned advocate for the respondent nos. 4 and 5 submits that an eviction suit is pending and connection should not be granted to the petitioner as his status as a tenant, is the subject matter of the suit.
4. Having heard the rival contentions, this Court directs the CESC Limited to inspect the premises in presence of all the parties and grant connection to the petitioner upon compliance of all formalities, from the same meter board position available at the premises. As all

the parties are present, the inspection shall be held on July 24, 2024 at 2.00 p.m. No further notices will be given to either of the parties. The connection shall be effected forthwith upon the petitioner complying with all the formalities.

5. The petitioner cannot claim any equity in respect of connection. The said connection shall be subject to the ultimate result of the suit.
6. If any obstruction is created by the respondent nos. 4 and 5, the CESC Limited shall be allowed to seek help from the local police at the cost of the petitioner. The police authorities will ensure compliance of this order.
7. Accordingly, the writ petition is disposed of.
8. However, there will be no order as to costs.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)