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07.05.2024
Mb

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 12803 of 2024

Kishore Gowala
Vs.
CESC Limited & Ors.

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder
...for the petitioner

Mr. Jayanta Kumar Dhar
...for the CESC Limited

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioner submits that the petitioner is a tenant in respect of the premises-in-question and despite having applied for a new electricity connection, has not been given the same.
3. Learned counsel for the Calcutta Electric Supply Corporation Limited (CESC Limited) contends that the CESC Limited could not give such connection to the petitioner due to resistance by the private respondents and their men and agents.

4. Despite service, since none appears for the private respondents; hence, the matter is taken up for hearing in the absence of the private respondents.

5. In the light of the above developments, W.P.A. No. 12803 of 2024 is disposed of by directing the CESC Limited to give electricity connection to the petitioner at the existing meter board position of the premises where it has been sought, within a week from date, by acting on a server copy of this order.

6. If any resistance is offered to the CESC personnel in doing so by the private respondents and/or their men and agents, the CESC Limited shall be at liberty to approach the respondent no. 3, that is, the Officer-in-Charge, Ekbalpore Police Station for adequate police assistance, who, acting on a server copy of this order, shall provide such assistance to the CESC personnel at the cost of the petitioner for the purpose of the CESC personnel giving such electricity connection to the petitioner from the existing meter board position at the subject premises.

7. The police shall, for such limited purpose, be at liberty to remove any padlock or other hindrance, if put up from any quarter to hinder the CESC personnel.

8. There will be no order as to costs.
9. 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.)