

June 24, 2024
Sl. No.6
Court No.9
s.biswas

WPA 15206 of 2023

Raj Narayan Singh
vs.
The CESC Limited and others

Mr. Usof Ali Dewan
Mr. Riaz Abedin
Mr. Asif Dewan

... for the petitioner

Mr. Debanjan Mukherjee

... for the CESC

1. The petitioner alleges that the respondent no.4 i.e. the landlord has refused to allow the petitioner to obtain separate connection in respect of the tenanted premises.
2. Affidavit of service containing the postal article with endorsement refused, is taken on record. As the landlord has refused the service, the matter is taken up.
3. It appears that the connection which the tenant was using through the meter of the landlord, had been disconnected. An order was passed in Title Suit No.59 of 2022 dated September 8, 2022, by which the learned Civil Judge (Junior Division), 2nd Court at Barrackpore permitted the petitioner to install a new electric meter in the area under his possession, by applying to the CESC. The petitioner has made an application to the CESC

Limited. Such application has not yet been disposed of.

4. The learned advocate for the CESC Limited submits that the petitioner has to apply afresh and in proper form.
5. The writ petition is disposed of granting liberty to the petitioner, to meet the appropriate authority of the CESC Limited within 48 hours and file an appropriate application. If the petitioner complies with the obligations as directed by the CESC Limited, CESC shall ensure supply of new connection to the petitioner by following the safety and security measures and in accordance with law.
6. As the landlord has chosen not to contest the proceedings and has already suffered an order from the learned civil court, nothing remains to be decided with regard to the landlord's intention.
7. This order shall not prejudice the suit and will not create any equity in favour of the petitioner. The petitioner cannot claim any support from this order in the other proceeding which is pending against him.
8. As the learned civil court has already permitted the petitioner to obtain a new connection, the CESC Limited shall be entitled to seek help from

the local police authorities, if the situation so demands.

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

(Shampa Sarkar, J.)