

Item No.99
05.08.2024
Court. No. 9
GB

W.P.A. 18101 of 2024

Rajesh Tikoo
Vs.
CESC Limited & Ors.

Mr. Kajal Ray

...for the Petitioner.

Ms. Sreemoyee Mitra

...for the CESC.

The respondent nos.4 and 5 have refused service. Refusal is good service. Hence, the writ petition is disposed of in the absence of the respondent nos.4 and 5. Allegedly, the said respondents are the landlords who are objecting to grant of connection to the petitioner. The petitioner claims to be a licensee in respect of the premises in question. The petitioner relies on a leave and licence agreement entered into between the parties on October 1, 2009.

The writ petition is disposed of with a direction upon the competent authority of the CESC limited to hold an inspection of the premises in question. If the authority finds that the petitioner is in occupation of the premises in question, connection shall be effected, upon the petitioner complying with all necessary formalities. Such connection shall not create any equity in favour of the petitioner and shall be subject to any proceeding for eviction which may be initiated by the respondent nos.4 and 5. The connection shall be effected with the help of the police, if the respondent nos.4 and 5 commit any nuisance or resist the CESC authorities.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

Parties are directed to act on the basis of the learned advocate's communication as also on the basis of the server copy of this order.

(Shampa Sarkar, J.)