

07-11-2024
Item No.6
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.18684 of 2024
Lopamudra Mandal
-vs-
CESC Limited & Ors.

Mr. Indranil Halder
Ms. Neha Singh ...for the petitioner

Ms. Diana Ghosh Dastidar ...for CESC

Mr. Bidyut Kr Halder ...for the private respondent

1. Case of the petitioner is that she filed an application for obtaining new electricity connection in her premises being No.72A, Daspara Road, Kolkata. The connection could not be given allegedly because of the objection raised by the private respondent.

2. Learned advocate representing the private respondent relies upon a property tax bill issued by the Kolkata Municipal Corporation and submits that his client is the owner of premises no.72A/1, Daspara Road. He submits, upon instructions, that his client does not have any objection, if electricity connection is given in favour of the petitioner at premises no. 72A, Daspara Road.

3. Learned advocate for CESC Limited submits, upon instructions, that an inspection was sought to be conducted at 72A, Daspara Road, but because of the obstruction raised by the private respondent, the service connection could not be effected.

4. Learned advocate for the petitioner produces a mutation certificate issued by the Kolkata Municipal

Corporation in favour of her client in respect of premises no.72A, Daspara Road which is a single shop room.

5. Upon hearing the parties and upon perusal of the materials on record, CESC Limited is directed to conduct a fresh spot inspection, upon notice to both the parties, for the purpose of processing the petitioner's application seeking new electricity connection.

6. It will be open for CESC Limited to take assistance of the officer-in-charge of Thakurpukur police station at the time of conducting the inspection and at the time of providing electricity connection subject to payment of costs by the petitioner. Electricity connection, if entitled to, shall be supplied to the petitioner at the earliest upon compliance of all necessary formalities.

7. Leave is granted to learned counsel for the private respondent to file the *vakalatnama* in the department in course of this day.

8. Mutation certificate in respect of premises no.72A, Daspara Road and the property tax bill pertaining to premises no.72A/1, Daspara Road filed in court be taken on record.

9. The writ petition stands disposed of.

10. All parties are to act on the server copy of this order duly downloaded from the official website of this court.

11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

