

07
11.11.2024
Ct. 14
AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 19694 of 2024

**Samir Nandy @ Samir Kumar Nandy
-versus
The State of West Bengal & Ors.**

**Mr. Sayan Chattopadhyay.
Mr. Imtiaz Ahmed.
...For the Petitioner.**

**Ms. Nandini Mitra.
... For CESC Limited.**

**Mr. Jayanta Samanta,
Mr. Subhendu Sengupta
Mr. Supriya Majumdar. VC
...For the State respondents.**

1. Affidavit-of-service filed by the petitioner is retained with the records.
2. The petitioner seeks new electricity connection.
3. A copy of the objection raised by the private respondent with regard to installation of the meter is annexed to the writ petition.
4. According to the petitioner, the place where the meter has been sought to be installed is common to both the petitioner and the private respondent, who are brothers.
5. Learned advocate representing CESC Limited submits, upon instruction that, the petitioner has to identify a place with unhindered access for installation of cable line.

6. The Court is of the opinion that it is not for the personnel of CESC Limited to ascertain ownership of any land.
7. In the event the petitioner is able to provide unhindered access to the portion where the cable line may be installed, then the electric connection may be provided by the service provider.
8. In view of the above, the District Engineer, Howrah District is directed to make a spot inspection to ascertain as to whether installation of cable line will be feasible at the place identified by the petitioner.
9. If the installation of the cable line is feasible, then necessary steps shall be taken to provide supply to the petitioner at the earliest subject to compliance of all necessary formalities.
10. The inspection shall be conducted positively within a period of four weeks from the date of communication of this order.
11. A written communication will be made by CESC Limited intimating the fate of the application of the petitioner.
12. The writ petition stands disposed of.
13. Instruction forwarded by the District Engineer, Howrah District dated 10th May, 2024 is kept with the records.
14. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)