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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 24909 of 2023

Gulabchand Prasad
Vs.
The Calcutta Electricity Supply
Corporation Limited & Ors.

Mr. Rajendra Banerjee,
Mr. Joy Chakraborty,
Mr. Sandip Dinda,
Mr. Ranjit Malakar
... for the petitioners

Mr. Debjit Mukherjee
...for the CESC Limited

Mr. Anand Farmania,
Mr. Manoj Kumar Mondal
...for the State

1. Learned counsel for the petitioner submits that on the last occasion, due to certain miscommunications, it was conveyed to the Court that the petitioner had deposited the police assistance cost, whereas the same had not yet been deposited.
2. Learned counsel for the Calcutta Electric Supply Corporation Limited (CESC Limited) submits that the police went to the locale but did not break open the padlock and hindrance put up by the private respondent.

3. Learned counsel appearing for the State, also representing the Police, hands over a written instruction, which is kept on record, which indicates that the police had been to the locale.

4. Be that as it may, since the petitioner did not put in police help costs till now, the police cannot be faulted for not having been able to effectively implement the order of this Court.

5. The petitioner shall, within a week from date, deposit the police help costs.

6. Upon such deposit being made, the petitioner shall intimate about such deposit to the CESC Limited, upon which the CESC Limited shall renew its efforts to hold an inspection at the locale for the purpose of giving electricity connection to the petitioner.

7. In the event the CESC personnel face any difficulty in doing so and/or there is any obstruction, padlock or hindrance put up to prevent the CESC personnel from doing so, upon an approach being made by the CESC Limited, the police-authorities, that is, the respondent no. 4, shall provide adequate police assistance and in the process, if necessary, break open any padlock or remove any other hindrance for giving access to the CESC personnel to hold such inspection.

8. In the event the CESC Limited finds that it is otherwise feasible to give such electricity connection to the petitioner, it will raise an offer letter within a week thereafter.

9. Upon the petitioner complying with due formalities, the CESC Limited shall, within a fortnight thereafter, give such connection to the petitioner.

10. If at the time of giving such connection, the CESC Limited face further hindrance, the same exercise will be repeated, that is, the petitioner shall deposit police help costs, upon which police help shall be given by the respondent no. 4, if necessary removing any padlock or other hindrance to give access to the CESC personnel to the existing meter board position for giving such connection.

11. It is advisable that the respondent no. 4 ensures that lady police officers are present at the locale at the time of giving assistance, since the CESC Limited submits that there were ladies present there to obstruct the access of the CESC personnel to the location. While assessing police help costs, such factor shall also be considered by the police-authorities.

12. W.P.A. No. 24909 of 2023 is disposed of in the light of the above observations.

13. There will be no order as to costs.

14. 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.)