

27
18.01.2024
mb

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 29126 of 2023

Tarubala Naskar & Ors.
Vs.
CESC Ltd. & Ors.

Mr. Sanjib Das
...for the petitioners

Ms. Sreemoyee Mitra
...for the CESC Limited

1. A report filed by the CESC Limited today be kept on record.
2. The CESC Limited has taken a fair stand inasmuch as they are agreeable to give a loop-metered connection to the petitioners, subject to compliance of all formalities by the petitioners.
3. It is pointed out by the CESC Limited that upon an inspection it was revealed that the electricity connection to be given to the petitioners does not intrude into the privacy of any other persons. The petitioners had previously been enjoying electricity connection from an existing meter at the premises by way of a private arrangement, which has now been severed.
4. Upon hearing learned counsel for the parties present in Court today, it transpires that the petitioners have an independent right to get

electricity connection by dint of their possession of the property-in-question.

5. Accordingly, W.P.A. No. 29126 of 2023 is disposed of by directing the CESC Limited to raise a quotation indicating the amount which is to be paid by the petitioners for getting independent loop-metered electricity connection at their premises in their own names. Such quotation shall be issued within a week from date.

6. Upon the petitioners complying with all due formalities in that regard, a new loop-metered connection shall be given to the petitioners from the existing service connection within a further fortnight thereafter.

7. In the event any obstruction is raised from any quarter, including the private respondents and/or their men and agents, it will be open to the CESC personnel to approach the respondent no. 3, that is, the Officer-in-Charge, Dum Dum Police Station for adequate police assistance, who, if so approached, shall provide police assistance at the cost of the petitioners to enable the CESC personnel to give such connection to the petitioners, if necessary, by removing any hindrance while doing so.

8. Nothing in this order shall create any special right or equity in favour of the petitioners, which the petitioners do not have otherwise in law.
9. There will be no order as to costs.
10. 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.)