

20.03.2025
Sl. No.35
akd

W. P. A. 28567 of 2024

[Md. Anisur Rahaman -Vs- The CESC Ltd. & Ors.]

Mr. Manas Kumar Das
... .. for the petitioner

Ms. Sreemoyee Mitra
... .. for CESC Ltd.

Mr. Shibaji Kumar Das
... for respondent nos.5 & 6

Mr. Sudipta Panda
Ms. Ananya Neogi
... .. for the State

1. Affidavit-of-service filed in court today is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent- CESC Ltd., in granting an electricity connection to the premises of the petitioner.
3. It is the case of the petitioner that he is the owner of the Premises No.40A/1, Barun Feld Row, P.O. Alipore, Dist. Kolkata, Pin: 700027. He had duly applied for a new electricity connection after complying with all necessary formalities. However, due to objection raised by private respondent nos.5 and 6, electricity connection cannot be granted
4. Learned Advocate for the respondent-CESC Ltd. submits that property of the petitioner is in a dilapidated condition. He further contended that the petitioner has not fulfilled the mandatory formalities including constructing a meter box shed. In such circumstances, the respondent- CESC Ltd. submits that electricity connections cannot be provided until the necessary conditions are duly met. But they are ready and willing to provide

electricity connection if the petitioner complying with all the necessary formalities including construction of a meter box shed where the meter can be installed.

5. Learned Advocate for the private respondent nos.5 and 6 submits that no equity shall be created in favour of the petitioner in the pending partition suit.

6. Accordingly, this Court directs the respondent-CESC Ltd. to grant electricity connection to the petitioner within a period of four weeks from the server copy of this order, subject to complying with all the necessary formalities.

7. Officer-in-charge, Ekbalpore Police Station (respondent no.4) is directed to provide adequate police protection to the respondent-CESC Ltd. in case of any hindrance so that they can provide electricity connection to the petitioner.

8. Needless to mention the present writ petition is being filed only for the grant of electricity connection and shall not create any undue equity in favour of the petitioner. Partition suit pending in the court shall be dealt with on its own merit.

9. With the aforesaid directions, the present writ petition is disposed of.

10. There shall be no order as to costs.

11. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)