

Prateek Didwania and ors Vs. Cesc Ltd and ors

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Court : Kolkata

Decided On : Sep-29-2014

Judge : I. P. Mukerji

Appellant : Prateek Didwania and ors

Respondent : Cesc Ltd and ors

Judgement :

ORDER

SHEET WP NO.946 OF 2014 IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction ORIGINAL SIDE PRATEEK DIDWANIA & ORS
Versus CESC LTD & ORS BEFORE: The Hon'ble JUSTICE I.P.MUKERJ.Date :
29th September, 2014.

Mr.S.Sen, Mr.R.Dutta, Ms.I.Bosefor petitioneRs.Mr.Om Narayan Rai, Mr.J.B.

Panda, Mr.R.Duttafor respondents.

The Court : Leave is granted to the advocate on record for the petitioners to file an affidavit of service in couRs.of today.

Mr.Sen submits that the landlord has been served.

None appears on his behalf.

CESC LTD.is represented by learned counsel.

The writ petitioner is a tenant in a premises.

He was provided with electricity supply from a source outside the premises.

Due to restrictions imposed during the festival period this supply can no longer be drawn from that source.

CESC LTD.has disconnected supply of electricity to the writ petitioners from the outside source but has no problem in granting him connection from the transformer.

Meanwhile, a more permanent source of supply of electricity to all the occupants of the premises has been installed, in the shape of a transformer, within the premises.

It is also submitted on their behalf that there will be no difficulty in energising the transformer and supply electricity to the premises.

In that view of the matter, this writ application is admitted.

As an interim order, I direct CESC LTD.to energise the transformer and to supply electricity to the petitioners immediately within 48 hours from now.

Any costs, charges, expenses to be incurred will be paid by the petitioners without prejudice to their rights and contentions.

This order will be valid till 14th November, 2014.

List this application once again on 3rd November, 2014 for further consideration in the presence of the landlord.

The Officer-in-Charge, New Market Police Station will render all assistance to the parties, particularly CESC LTD.to effect this connection.

Certified photocopy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

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Pkd.

A.R.[C.R.].P.MUKERJI, J.)

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