

Title Suit 577 of 2022

Order No. 39
07.02.2024

Today is fixed for hearing of petition under Section 151 of C.P.C. dated 19.10.2023 as last chance, i.d., necessary order.

Both parties are present by filing haziras.

Plaintiff today files a petition praying for extension of ad interim order of injunction. Such prayer is considered and allowed.

Let the ad interim order of injunction be extended till next date.

Ld. Advocate for the plaintiff verbally stated that Order no. 30 dated 21.09.2023 in respect of restoration of electricity service in the A-1 scheduled suit property has not been complied due to the strong obstruction raised by the defendant. Thus, he prayed for police help for implementation of Order no. 30 dated 21.09.2023.

Ld. Advocate for the defendant stated that there was no obstruction raised on the part of the defendant for restoration of electricity. The real fact is that the schedule mentioned in the plaint does not corroborate with the schedule where the electricity meter is actually located. He further stated that the said electricity meter was installed over holding no. 116/B, which belong to the property of the defendant. For the reason, the service provider failed to restore the electricity connection.

In reply, Ld. Advocate for the plaintiff stated that he submitted the electricity bill showing that Consumer No. 63266062018, Meter No. 273132701 was installed over the suit holding no. 116. So, there remains no discrepancy in respect of the suit holding and the holding where the electricity meter was installed.

After hearing the contention of both the parties, I am of the opinion that before considering the fact whether police help is needed for implementation of Order No. 30 dated 21.09.2023, it is necessary to know the real reason for non-compliance of Order No. 30 dated 21.09.2023 by the District Engineer, C.E.S.C., Mahesh, Serampore.

The District Engineer, C.E.S.C., Mahesh, Serampore is directed to submit a report before this Ld. Court mentioning the reason for non-compliance of Court's Order No. 30 dated 21.09.2023.

Let a copy of this order and Order No. 30 dated 21.09.2023 be sent to the District Engineer, C.E.S.C., Mahesh, Serampore for information.

Fix 12.03.2024 for report from the District Engineer, C.E.S.C., Mahesh, Serampore.

Dictated & Corrected by me.

Sd/-

Civil Judge (Junior Division),
1st Court, Serampore,
Hooghly.

Sd/-

Civil Judge (Junior Division),
1st Court, Serampore,
Hooghly.