

13.10.2020
Ct. No.10
SL No.44
KS

IA No:CAN 1 of 2020
+
W.P.A. No.7405 of 2020

Pannalal Naskar
Versus
CESC Limited & Ors.
(Via Video Conference)

Mr. Pritam Chowdhury
Mr. Abhishek Addhya
.....For the Petitioner
Mr. Sanjib Seth
.....For Respondent Nos.3 & 4
Mr. Suman Ghosh
.....For the C.E.S.C.

CAN 1 of 2020 is disposed of by taking up the writ
petition for consideration.

Petitioner seeks electricity connection.

Learned advocate appearing for the Electricity
company submits that, the petitioner and the private
respondents are jointly enjoying an electricity supply. The
present application is for the purpose of splitting up of the
load. They are at best civil disputes between the private
respondents and the petitioner.

Learned advocate appearing for the private respondents submits that, although the petitioner claims to be a tenant in respect of a particular plot, he is not so.

In the present case, the fact that, the petitioner is in settled possession is not disputed. Apparently, there are disputes between the petitioner and the private respondents. Such disputes culminated to a stage where the petitioner is not able to enjoy the electricity supply through the meter standing in the name of the private respondents. The petitioner applied for a fresh meter.

In such factual matrix, the petitioner being in a settled possession, the electricity company will proceed to provide electric supply to the petitioner. Neither this order nor the supply of electricity will create any right, title and interest or equity in favour of the petitioner in respect of the plot of land in which the petitioner is in settled possession other than those already enjoyed by him.

This order will not be construed to be a declaration of tenancy of the petitioner or any right, title and interest of the petitioner in respect of any immovable property concerned.

Upon the petitioner complying with all necessary formalities and paying costs and expenses with regard thereto the electricity company will provide new electricity connection to the petitioner within a period of seven days thereof.

W.P.A. No.7405 of 2020 is disposed of.

(Debangsu Basak, J.)