

24-08-2021
sl. no.44
tkm/ct. 8

WPA 13033 of 2021
Shakina Begum
Versus
CESC Ltd. & Ors.
(Through Video Conference)

Mr. Wasim Ahmed

... for the petitioner

Mr. Jahar Dutta

Mr. Jaladhi Das

... for the State

Petitioner seeks new electricity connection.

State and Distribution Company are represented.

Learned advocate for the Distribution Company submits that on inspection, it was found that the petitioner is enjoying electricity supply through the meter standing in the name of the landlord. According to her, it is a question of split load and the petitioner is not remediless. The petitioner is required to approach the Ombudsman.

Learned advocate for the petitioner submits that the landlord disconnected electricity supply. The petitioner is now without electricity.

The Distribution Company need not enter into the arena of a landlord-tenant dispute. Admittedly, the petitioner is a tenant at the immovable property concerned. As a tenant, the petitioner is in settled possession. A person in settled possession,

is entitled to electricity supply. Since the relationship between the private parties that is to say, that a person from whom the petitioner was enjoying electricity supply is not of blood or family relation, it would be inappropriate to hold that the supply to the petitioner will result in splitting of the load.

In such circumstances, it would be appropriate to direct the Distribution Company to provide electricity supply to the petitioner upon the petitioner paying all costs, charges and expenses and complying with the formalities. The police are directed to provide adequate police assistance to the Distribution Company so that the Distribution Company can provide electricity supply to the petitioner. The petitioner be provided with electricity within seven days from the date of payment of all costs, charges and expenses and compliance of all formalities by the petitioner.

WPA 13033 of 2021 is disposed of without any order as costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(DEBANGSU BASAK, J.)