

S/L No.46
25.03.2022
Ct-29
(Kc & AD)

C.O. 590 of 2020

Sri Laxmi Narayan Paul
vs.
Mr. Sandip Roy alias Suwendu Roy

Mr. Goutam Das

...for the petitioner.

Learned lawyer on behalf of the petitioner appears.

On perusal of the petition as well as annexed documents, I find that the petitioner is a landlord in respect of the premises in dispute and opposite party, according to the petitioner, is a trespasser.

It is contended on behalf of the petitioner that the opposite party was initially inducted as 'licencee' and that being revoked, the opposite party has become a trespasser.

From the application it is found that the order dated January 22, 2020 passed in Title Suit No. 728 of 2017 by the learned Civil Judge (Senior Division), 2nd Court, Barasat.

By the order dated January 22, 2020, the learned Judge dealt with an application for getting the electric connection in the suit premises at the behest of the defendant/Opposite Party. After hearing both the sides, the learned Judge allowed the petition dated May 29, 2018 with a direction

permitting the defendant/Opposite Party to take separate electric connection in the suit premises in his own name at his own cost.

Learned advocate on behalf of the petitioner submits that opposite party is an unlawful occupant of the premises and he is not entitled to get electricity in the premises. In this regard, the learned Judge observed as follows:

“It is undisputed that electricity is an essential for human livelihood and no one can be forced or compelled to vacate any property by taking means of disconnection of electric connection but that person should be evicted with due process of law.”

I do not find any infirmity and/or illegality in the aforesaid observation. Therefore, I do not find any merit in this revisional application and being so, the revisional application stands dismissed.

Learned Trial Court is requested to expedite the hearing of the suit.

C.O. 590 of 2020 is dismissed accordingly.

(Bibhas Ranjan De, J.)