

**Form No. J(2)**

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION**

**Present:**

**The Hon'ble Justice Jay Sengupta**

**C.R.R. 827 of 2022**

**Salia Das & Anr.**

**-vs-**

**The State of West Bengal & Ors.**

For the Petitioners : Mr. Sudip Ghosh Chowdhury

Heard on : 17.03.2022

Judgment on : 17.03.2022

**Jay Sengupta, J.:**

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the president and the secretary of a market committee for the market in which the opposite party no. 2 is having a shop. There is one electricity meter from which electricity is consumed by all the shop owners. The opposite party no. 2 had not been paying his share of electricity bills for long. That is why, with consultation with the electricity authorities, the market committee disconnected the electricity connection to the shop room of the opposite party no.2. Aggrieved with this, the opposite party no. 2 filed an application under

Section 144 of the Code praying for reconnection of electricity, among others. This kind of an application cannot be entertained under Section 144 of the Code.

I have heard the submissions of the learned counsel for the petitioner and has perused the revision petition.

It is very true that an application under Section 144 of the Code cannot be filed for seeking such relief as connection of electricity.

However, from the order passed by the learned Executive Magistrate dated 18.01.2022 it appears that the learned Magistrate has only dealt with the issue of apprehension of breach of peace, which is also subject matter of the application. There is no restraining order whatsoever passed in regarding the disconnection of electricity. The opposite party therein had been asked to show cause and the police station was directed to maintain peace and tranquility.

As such, I do not find any illegality in the impugned order.

Let the learned Executive Magistrate dispose of the application under Section 144 of the Code expeditiously after hearing all the parties and keeping in mind the observations made by this Court as above.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**

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