

29.04.2024
Item No.36
gd/ssd

MAT/282/2024
IA NO: CAN/1/2024
PAPAI GHANTA AND ORS.
VS
THE CALCUTTA ELECTRICITY SUPPLY
CORPORATION LIMITED AND ORS.

Mr. Pradip Kumar Kundu
..for the Appellants.

Mr. Debanjan Mukherjee
..for CESC.

1. This intra court appeal by the father-in-law of the writ petitioner is directed against the order dated 10.01.2024 passed in WPA 18193 of 2023.

2. There appears to be a matrimonial dispute between the writ petitioner i.e. the daughter-in-law of the appellant and his son and matters are pending.

3. The learned Single Bench has recorded that the writ petitioner is a helpless lady having an academically meritorious daughter. She has applied for electricity service connection and the learned Single Bench has directed the same to be granted making it clear that nothing in the order passed in the writ petition will create any special equity in favour of the writ petitioner which the petitioner does not otherwise have in law. Further, the learned writ court has observed that the direction given in the writ petition shall be subject to the outcome of the Matrimonial Suit pending between the writ petitioner and the private

respondent no.5 who is none other than writ petitioner's husband and son of the present appellant.

4. Therefore. we find no grounds to interfere with the order passed by the learned Single Bench as the interest of the appellant as well as his son who is the husband of the writ petitioner have been sufficiently safeguarded.

5. Accordingly, the appeal stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)