

09.09.2024
Sl. No.95(ML)
srm

W.P.A. No. 14816 of 2024

Sk. Liyakat Ali

Versus

Calcutta Electric Supply Corporation Limited & Ors.

Mr. Sumit Naskar
...for the Petitioner.

Ms. Aparajit Rao,
Ms. Swastika Roy
...for the CESC Ltd.

Md. Mansoor Alam
...for the Respondent No.9.

Mr. Ranjit Rajak
...for the State-respondents.

The CESC authorities have filed a report. It appears that the inspection was conducted on Premises No.W-159/G, Akra Road (Metiabruz), Kolakta-700018. The petitioner and the respondent No.9 were present during such inspection. It was found that the petitioner was residing in a room on the second floor of the four-storeyed building. He was without electricity. The CESC authorities found a space in the existing meter board position and suggested that connection can be given to the petitioner by way of a loop meter from the same position. The petitioner was to apply in the prescribed form with proper details.

Learned Advocate for the respondent No.9 submits that the petitioner is a trespasser. No agreement had been entered into between the petitioner and the respondent No.9, permitting the petitioner to reside in the premises.

The law is well settled. An occupier of the premises is also entitled to electricity.

Thus, if the authorities have found the petitioner to be in possession of the premises No.W-159/G, Akra Road (Metiabruz), connection shall be supplied to the petitioner from the common board position by way of a loop meter within a period of two months from compliance of all formalities.

This connection shall not create any equity in favour of the petitioner. The respondent No.9 may proceed in accordance with law against the petitioner before the civil court and such connection shall be subject to any decision of the civil court.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)