

11.04.2025
Ct. No.15
Sl. No.18
akd

W. P. A. 2030 of 2025

[Sri Sankar Dhar -Vs- The CESC Ltd. & Ors.]

Mr. Sobhan Majumdar
Mr. Arijeet Bhattacharjee
... .. for the petitioner

Mr. Amitabha Ghosh
Ms. Nabanita Chatterjee
... for respondent no. 8

Mr. Suman Ghosh
Ms. Sinthia Bala
... for the CESC Ltd.

Mr. Susanta Pal
Ms. Ananya Neogi
... .. for the State

The petitioner alleges that respondent no. 8 is using a domestic electricity connection for commercial purposes. Learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to Section 135(1)(e) of the Electricity Act, 2023, in support of this submission, contending that such unauthorised use of electricity constitutes theft of electricity under the said provision.

Learned counsel appearing for respondent no. 8 submits that respondent no. 8 is a tenant under the petitioner. It is further submitted that the present writ petition has been filed with an oblique motive to evict respondent no. 8 from the premises in question.

Learned counsel appearing for the Calcutta Electric Supply Corporation Limited (CESC), on the other hand, submits that the electricity supply to the premises is being availed

through an overhead connection in accordance with all requisite formalities.

In view of the factual matrix as presented, this Court is not inclined to entertain the present writ petition. Any allegation of unauthorised use of electricity is a matter of concern of Calcutta Electric Supply Corporation Limited, and not of the petitioner.

In the considered view of this Court, the petitioner lacks the locus standi to raise the grievance as set forth in the writ petition.

Accordingly, **WPA 2030 of 2025** is dismissed.

Let urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Kausik Chanda, J.)