

8 10.03.2025.
SM

WPA 3226 of 2025

**Anita Sonkar
Vs
CESC Limited & Ors.**

Mr. Bidyut Kr. Halder
Mr. Indranil Halder ... for the petitioner
Mr. Shoham Sanyal ... for the CESC Ltd.
Mr. L . Mondal ... for the respondent no.4

Learned counsel appearing for the petitioner submits that the petitioner is a tenant in respect of a property but is unable to obtain a new electricity connection due to obstruction created by the private respondent/landlord.

Affidavit of service filed in Court today shall be kept on record.

Learned counsel appearing for the CESC Limited files a report.

Let the report be kept on record.

Learned counsel appearing for the private respondent no.4 submits that the petitioner is not an occupant of the property and, therefore, cannot be termed as a tenant.

Even without delving into the merits of the petitioner's status with respect to the property, the petitioner, as an occupant, is entitled under Section 43 of the Electricity Act, 2003 as depicted in the report filed by the CESC, to get new electricity supply irrespective of the objection raised by the landlord/owner.

Accordingly, WPA 3226 of 2025 is allowed, directing CESC Limited to provide a new electricity connection to the petitioner from the existing service position/line at the premises in question, subject to the petitioner's compliance with all formalities, if any, within a fortnight from such compliance by the petitioner.

If obstructed by the private respondent, the CESC personnel shall be at liberty to approach the Officer-in-Charge, Jorabagan Police Station being the respondent no.3, who shall provide adequate police assistance to the CESC personnel, at the cost of the petitioner, by acting on a server copy of the order.

If any padlock or other hindrance is put up by the private respondent to prevent the CESC personnel in doing so, the police shall be at liberty to remove such padlock or other hindrance in order to give access to the CESC personnel.

Learned counsel appearing for the private respondent no.4 prays for a stay on the operation of this order.

Request is rejected.

There shall be no order as to costs.

All parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)