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SM

26.02.2025.

WPA 3269 of 2025

**Soumitra Dutta
Vs
The Calcutta Electricity Supply
Corporation Limited & Ors.**

Mr. Aits Kumar Biswas

Mrs. Jyoti Agarwal

... for the petitioner

Mr. Dr. Madhusudan Saha Ray

... for the CESC Ltd.

Affidavit of service filed today is kept on the record.

Learned counsel appearing for the petitioner submits that the petitioner is a tenant in respect of the property but is unable to obtain an electricity connection due to obstruction created by the respondents/landlords.

Despite service, none appears for the respondents, although the CESC Limited is represented and has filed a report along with the petitioner.

Even without going into the merits of the status of the petitioner, regarding the property, petitioner, as an occupant, is entitled under

Section 43 of the Electricity Act, 2003 to obtain electricity supply irrespective of the objection raised by the landlords/owners.

Accordingly, WPA 3269 of 2025 is allowed, directing CESC Limited to provide a new electricity connection to the petitioner at the premises in question through an existing service by way of a loop meter, subject to the petitioner's compliance with all formalities within a fortnight from such compliance.

If obstructed by the respondents, the CESC personnel will be at liberty to approach the Officer-in-Charge, Nagerbazar Police Station being the respondent no.4, who shall provide adequate police assistance to the CESC personnel at the cost of the petitioner, acting on a server copy of the order.

If any padlock or other hindrance is put up by the respondents to prevent the CESC personnel, the police will be at liberty to remove such padlock or other hindrance in order to give access to the CESC personnel.

With the above observations and directions, the writ petition is disposed of.

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.)