

1 05.03.2025.
SM

WPA 5051 of 2025

**Kulbir Singh
Vs
CESC Limited & Ors.**

Mr. Siddhartha Banerjee
Mr. Rajib Mullick
Ms. Debjani Sengupta
Mr. Biswaroop Ghosh
... for the petitioner
Mr. D. Mukherjee
Ms. Susmita Chatterjee
... for the state
Mr. Debobrata Roy
Mr. S. Kamal
Mr. Gazi Faruque Hossain
Ms. Shireen Hossain
... for the private respondent no.6
Mr. Debanjan Mukherjee
... for the CESC

Learned counsel appearing for the petitioner submits that the petitioner is a tenant in respect of an industrial property. However, there was an unexpected disconnection of electricity at the premises which brought their business activity to a complete halt. The reconnection is now obstructed by the private respondent/landlord, preventing restoration.

Learned counsel appearing for the CESC Limited submits that due to the hindrances

created by the private respondent/landlord, the electricity connection cannot be restored.

Learned counsel appearing for the private respondent no.6/landlord submits that no business activity is being conducted at the said premises and the petitioner is unlawfully attempting to change the meter from 220 volts to 440 volts, which is not permitted under law.

Learned counsel appearing for the state files a report.

Let the report be kept on record.

Even without delving into the merits of the petitioner's status concerning the property, the petitioner, as an occupant, is entitled under Section 43 of the Electricity Act, 2003 to receive electricity supply, irrespective of the objection raised by the private respondent/landlord.

Accordingly, WPA 5051 of 2025 is allowed, directing the CESC Limited to restore the electricity connection to the petitioner at the premises in question subject to compliance of all formalities by the petitioner within seven days from such compliance.

If obstructed by the private respondent, the CESC personnel shall be at liberty to approach the respondent no.5 i.e. Officer-in-Charge, Topsia

Police Station, who shall provide adequate police assistance to the CESC personnel at the cost of the petitioner, acting upon a server copy of the order.

If any padlock or other hindrance is put up by the private respondent 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.)