

WPA 4448 of 2020**Tara Bai Mohta Trust****Vs.****Calcutta Electric Supply Corporation Limited (CESC) & Ors.**

Mr. Rajesh Kshetry,
Ms. Sompurna Chatterjee

...for the Petitioner

Mr. Debanjan Mukherji

...for CESC

Mr. Chandra Sekhar Banerjee,
Mr. Shamit Dutta

...for Respondent nos. 5 & 6

The petitioner seeks an electricity connection at premises no. 128/3, Maulana Abdul Kalam Azad Sarani, Kolkata – 700054. It is the petitioner's claim that the subject property is a trust property.

By an order dated August 6, 2025, this Court directed the Calcutta Electric Supply Corporation (CESC) to conduct an inspection for the purpose of verifying the feasibility of providing the electricity connection.

Pursuant to such direction, a report has been submitted before this Court by CESC following the inspection. The relevant portion of the report is extracted below:

“At the very initiation of our inspection we did not find any representation of the Tara Bai Mohta Trust, neither could we locate the existence of any person by the name of Shri Brij Ratan Mohta Trustee (Tara Bai Mohta Trust), at the captioned premises.

Our personnel attempted to contact

the applicant / petitioner several times over the phone however they failed to do so.

It was gathered from the inmates of the locality as well as the premises that no person bearing the name of Shri Brij Ratan Mohta Trustee (Tara Bai Mohta Trust) resided there at and neither there is any existence of the Tara Bai Mohta Trust at the captioned premises.

In the course of our attempt to locate the petitioner we met strong local objection as well as from the inmates of the captioned premises, in presence of the police.

Thus faced by such strong objection at site our deputed personnel were unable to carry out the inspection / installation successfully.”

Learned counsel appearing on behalf of respondent nos. 5 and 6 submits that the property in question is held under Thika tenancy. They further claim to be tenants under the Thika tenant.

It is not within the scope of the present writ petition to adjudicate upon the right, title, or interest of parties in respect of the said property.

Learned counsel for the petitioner contends that respondent nos. 5 and 6 are obstructing the petitioner from taking possession of the property, notwithstanding that the mutation in the relevant assessment records of the Corporation stands in the name of the petitioner.

The CESC report unequivocally indicates that the petitioner is not in possession of the premises.

In view of the foregoing, this Court is not inclined to issue any direction upon CESC to provide an electricity connection in favour of the petitioner.

However, this shall not preclude the parties from asserting or establishing their respective rights, title, and interest in respect of the subject property before the appropriate forum.

Accordingly, **WPA 4448 of 2020** stands dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)