

28
16-05-2025
AKG
Ct. 15

WPA 8628 of 2025
Riya Adhikary
Vs.
CESC Limited & Ors.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder

...for the Petitioner

Mr. Debanjan Mukherjee

...for CESC

Mr. Rajdeep Bhattacharya

...for Respondent No. 4

The facts relevant to this writ petition have already been recorded in the order dated April 25, 2025, and are reproduced below:

“The petitioner seeks a domestic connection on the first floor of premises no.41/2, Brahma Samaj Road, Kolkata – 700 034.

Learned counsel for CESC submits that the connection could not be effected due to the obstruction from respondent no.4.

Despite service, respondent no.4 is not represented. It appears that respondent no.4 has filed an eviction suit against the petitioner and some other persons.

It is, however, submitted on behalf of CESC that for effecting the connection, it is necessary to remove an existing meter from the said premises standing in the name of Padma Rani Adhikary, the deceased mother of respondent no.4.

List the writ petition for further consideration after a fortnight.

The petitioner shall communicate this order to respondent no.4 and file affidavit of service to that effect on the next date.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.”

Respondent No. 4 is represented today.

It is undisputed that the petitioner is currently in possession of the first floor of the premises in question.

The learned advocate appearing on behalf of Respondent No. 4 submits, however, that the petitioner is a trespasser. It is further contended that there is no requirement to provide a separate electricity connection to the petitioner, as she has been drawing electricity from the meter registered in the name of Respondent No. 4.

A civil suit is presently pending between the parties, in which Respondent No. 4 has sought the eviction of the petitioner on the ground of trespass. This writ proceeding is not the appropriate forum for adjudicating the substantive disputes between the parties.

The learned advocate representing the Calcutta Electric Supply Corporation (CESC) submits that a separate electricity connection may be provided to the petitioner from the existing meter board, subject to compliance with all requisite formalities, including the removal of the meter registered in the name of Padma Rani Adhikary, the deceased mother of Respondent No. 4.

Considering the petitioner's established possession of the first floor of the premises, I direct the CESC to provide a separate electricity connection within a period of three weeks

from the date of this order, utilising the existing meter board, and subject to the petitioner's compliance with any additional procedural requirements.

The Officer-in-Charge of Parnasree Police Station is directed to extend necessary assistance to the officials of CESC for the execution of this order, at the petitioner's expense. The police shall also be permitted to break open the padlock of the meter room, if necessary, to facilitate the connection.

It is clarified that the provision of this electricity connection shall not confer any equitable rights upon the petitioner and shall not affect the outcome of the pending civil suit between the parties.

Accordingly, **WPA 8628 of 2025** is disposed of.

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.)