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28.01.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 21377 of 2024

**Muskan Ansari
-versus-
The Calcutta Electric Supply Corporation Ltd. &
Ors.**

**Mr. Souvik Das,
Mr. Tapas Chatterjee,
Mr. Rudranil Das,
Mr. Saumavo Santra.
...For the Petitioner.**

**Ms. Nilanjana Banerjee.
...For the State.**

**Mr. Debanjan Mukherjee.
...For CESC.**

**Mr. Siddhartha Paul,
Mr. Souryadeep Ghosh.
...For the Private Respondent.**

1. The petitioner seeks direction upon the CESC Limited to provide electricity connection for new commercial meter. The petitioner is a co-owner of certain plot of land. He intends to use a portion of the land for business purpose.

2. Learned advocate appearing on behalf of the private respondent who happens to be one of the co-owners of the subject property raised objection to the same.

3. It has been submitted that the petitioner is not in possession of the place which he intends to use for business purpose.

4. It has been brought to the notice of the Court that a civil suit in between the parties is pending consideration before the learned civil forum.

5. As a civil dispute is pending consideration before the learned civil court, accordingly, the writ court is not inclined to enter into or adjudicate any disputed questions of facts regarding possession or otherwise. It will also not be proper to direct CESC Ltd. to give connection to one of the parties especially because an issue has been raised with regard to possession.

6. As possession has been disputed, accordingly, the parties are granted liberty to approach the learned civil forum for obtaining necessary order for installation of meter for commercial purpose.

7. The writ petition stands disposed of.

8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)