

09.09.2025
Sl. No. 38
AMR
Ct.No.15

WPA 21056 of 2025

Smt. Dipali Dutta
-vs.-
CESC Limited & Ors.

Mr. Sukanta Das

...for the petitioner

Ms. Sreemoyee Mitra

...for the CESC

Mr. Shyamal Kumar Das
Ms. Krishna Yadav

...for the Respondent no. 4

The petitioner seeks a separate electricity connection for the premises located at Holding No. 42/72, Dum Dum Road (Daga Colony), Post Office – Motijheel, Police Station – Nager Bazar, Kolkata – 700074.

Learned counsel appearing on behalf of respondent no. 4 opposes the petitioner's prayer. It is submitted that respondent no. 4 claims the property in question belonged to her late husband, Sankar Dutta, and asserts that the petitioner is merely an occupier of a portion of the premises, without any legal right, title, or interest therein.

Conversely, learned counsel appearing on behalf of the CESC submits that the premises under

consideration is currently being used as a tea stall operated by the petitioner. It is further submitted that an inspection of the premises was duly conducted by CESC authorities, following which a quotation for the electricity connection was issued. The petitioner has paid the quoted amount in full. However, due to objections raised by respondent no. 4, the electricity connection could not be effected.

In the considered view of this Court, since the petitioner's settled possession of the premises is not in dispute—irrespective of her legal title—she is entitled to an electricity connection.

Accordingly, the writ petition is disposed of with a direction upon the CESC Authority to provide an electricity connection to the premises under the petitioner's occupation by installing a separate meter connected to the existing main supply.

The officials of the CESC shall be at liberty to implement this order with the assistance of the Officer-in-Charge, Nager Bazar Police Station. The petitioner shall bear all costs associated with such police assistance.

If necessary, the police authority is granted liberty to break the padlock of the meter room in order to facilitate the execution of this order.

It is, however, clarified that the grant of this electricity connection shall not confer any equitable or proprietary right upon the petitioner with respect to the premises.

Accordingly, **WPA 21056 of 2025** is disposed of.

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

(Kausik Chanda, J.)