

WPA 21311 of 2025
Jolly Routh alias Afrin Begum
Vs.
The CESC Limited & Ors.

Mr. Santanu Singha,
Mr. Amit Kumar Roy

...for the Petitioner

Mr. Debanjan Mukherjee

...for CESC

Mr. Dyutiman Banerjee,
Mr. Swagata Das,
Mr. Vishal Mallick

...for Private Respondent

The petitioner is a tenant of Respondent Nos. 5 and 6.

The petitioner used to receive electricity through a meter registered in the name of the husband of Respondent No. 5. The electricity connection was disconnected on November 12, 2024, by Calcutta Electric Supply Corporation Limited (CESC) due to non-payment of electricity dues.

In the aforesaid backdrop, this writ petition has been filed seeking a separate electricity connection.

The learned advocate appearing for CESC submits that they are willing to provide a separate connection to the petitioner, reserving the right to recover the outstanding dues from Respondent Nos. 5 and 6.

There can be no dispute that, in the absence of proof establishing a nexus between the landlord and tenant, the tenant cannot be held liable for the outstanding dues on a meter registered in the landlord's name in order to obtain a

new connection.

In the present case, the petitioner alleges that although he regularly paid electricity charges to the landlord as recorded by the sub-meter connected to the main meter, the landlord failed to pay the said amount to CESC, resulting in disconnection of the supply.

This contention is disputed by the learned advocate appearing for Respondent Nos. 5 and 6, who submits that the petitioner exclusively enjoyed the electricity connection from the meter in question and did not pay the outstanding dues, for which Respondent Nos. 5 and 6 cannot be held liable.

I am of the view that the tenant should be provided with a separate electricity connection in light of the apparent dispute with the landlord. At the same time, CESC should be entitled to recover the outstanding dues from the landlord.

If the landlord has any dispute regarding the electricity bill for the relevant period, such dispute need not be adjudicated by this Court. Respondent Nos. 5 and 6 are at liberty to raise such dispute in the pending eviction suit filed against the petitioner.

With the foregoing observations, this writ petition is disposed of with a direction upon CESC to provide a separate connection in favour of the petitioner within three weeks from the date hereof, from the existing meter board, subject to

compliance with all necessary formalities by the petitioner.

If necessary, officials of CESC shall be provided police assistance by the Officer-in-Charge, Netaji Nagar Police Station. The cost of such police assistance shall be borne by the petitioner.

Accordingly, **WPA 21311 of 2025** stands 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.)