

S/L25
19.01.2026
Court No.7
Swd

WPA 568 of 2026

**Avijit Mondal
Vs.
CESC Ltd.&Ors.**

*Mr. Bidyut Kr. Halder.
Mr. Indranit Halder,
Ms. Neha Singh.*

... for the Petitioner.

Mr. Sumit Ray.

... for the WBSEDCL.

1. Affidavit of service filed by the petitioner be kept with the records.
2. The grievance of the petitioner is directed against the refusal of the respondent CESC in installing a fresh electricity connection at the subject premises.
3. It is submitted on behalf of the respondent CESC Limited that there are private civil disputes by and between the petitioner and the private respondents. There is also an eviction suit wherein an order of status quo has been passed pertaining to the subject premises.
4. On behalf of the petitioner it is submitted that the pendency of the civil suit or an order of status quo as to the nature and character of the property is not violated in supplying, electricity connection to an admitted occupier.

5. In support of such contention, the petitioner relies on the decision in *M/s. Shyamsundar Aqua and Ors. Vs. The West Bengal State Electricity Distribution Company Limited & Ors. (2012) 5CHN 772*.
6. Upon hearing the submission made on behalf of the party there is no reason as to why the petitioners should be denied the right of a fresh electricity connection in view of any private civil dispute by and between the petitioner and the private respondent. There is no justification in denying the right and entitlement for a separate electricity connection in respect of the subject premises.
7. In view of the above WPA 568 of 2026 stands disposed of by directing the respondent CESC to provide an electricity connection at the subject premises after complying with all prescribed statutory formalities.
8. In carrying out the above, liberty is granted to the CESC to take the assistance of the local police if the circumstances so warrant.
9. The payment for such police assistance will be provided by the petitioner. This order will not create any equity in favour of the petitioner in so far as the pending civil disputes are concerned.

(RAVI KRISHAN KAPUR, J.)