01.10.2026
Ct. No.652
D/L 09
(NMD)

W.P.A. 27088 of 2026

Sukla Paul Sarkar
Vs.
The Calcutta Electricity Supply Corporation & Ors.

Mr. Swakshar Kumar Mondal,
Mr. Jayatish Biswas,
Mr. Subhajit Mukherjee
…for the Petitioner

Mr. Pathik Bandhu Banerjee
…for the CESC
Mr. Narayan Chandra Ghosh,
for the respondent no.6

1. The petitioner claims to be the settled occupier and tenant of the ground floor, B-92, Baghajatin Bazar, Kolkata–700092(L.P. No. 161/4) shop room. The petitioner alleges that the landlord cuts off the electricity connection of the shop room which she occupies. The petitioner further states that her application for grant of reconnection/ new connection has not yet been attended to by the respondent/CESC authority which, according to the petitioner, is in violation of statutory provisions as well as settled position of law.
2. The private respondent is represented.
3. A strong objection is raised by the private respondent on the ground that the electricity was never given in the name of the present petitioner. It is further submitted that unless and until the

petitioner is able to show a bill in her own name, the petitioner would not be entitled any reconnection of electricity line.

4. Mr. Banerjee, learned Advocate is appearing for the respondent licensee.

5. He submits that inspection of the premises has been done for more than once; that the licensee has come to know that the electric connection of the premises concerned was cut off. In this regard he has referred to a written instruction of the District Engineer Southern District dated 16th May, 2026, which indicates that inspection could not be carried out as the meter board room was not accessible.

6. Upon hearing all the learned Advocates for the respective parties and perusing the record, it appears that with regard to the tenancy of the petitioner in the shop room, a civil dispute is now pending before the Court of appropriate jurisdiction. In the meantime, the petitioner's claim, to be in settled occupation of the tenanted shop room as above, cannot be outrightly denied. It may be that the present petitioner has not been recorded tenant or as the person liable to pay the electric bill, however, that *ipso facto* does not negate his claim of being in occupation in the shop room, in accordance with law. The petitioner's possession over there is undeniable, however,

unauthorized possession as alleged by the private respondent no.6, is subject to proof before the fact finding court.

7. In such circumstances, the respondent authority would be under a legal obligation to provide an electricity reconnection to the writ petitioner, as prayed for. It is presumable that objection or resistance may be forthcoming from the private respondent/owner of the premises.

8. It is, therefore, directed that pursuant to the petitioner's application for reconnection/new connections of electricity, the respondent authority shall take all necessary steps immediately, for providing the same to the said premises as above, subject to fulfillment of all legal formalities by the petitioner.

9. In doing so, the respondent authority may seek police help, if necessary, at the cost of the petitioner.

10. The entire exercise should be be concluded within a period of seven (7) days from the date of communication of this order.

11. With the directions as above, the present writ petition is disposed of.

12. Communication letter to the petitioner dated 16th May, 2026 is taken on record.

13. All concerned parties shall act in terms of the server copy of this order duly downloaded from the official website of this Court.

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

(Rai Chattopadhyay, J.)