

18.02.2026
DL-09
Ct. No. 07
Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 24004 of 2025

Banshi Jana @ Banshilal Jana
-Vs.-
CESC Limited & Ors.

Mr. Debarshi Brahma,
Mr. Samrat Chowdhury,
Mr. Subarna Barik,
Mr. Sayantan Maity

...for the petitioner.

Mr. Debanjan Mukherjee

...for the CESC Limited.

Mr. Mahendra Prasad Gupta,
Ms. Moumita Dhar

...for the respondent no. 5.

1. The grievance of the petitioner is directed against the refusal of the private respondent to permit the CESC officials from entering the premises. It is submitted by the petitioner that despite attempts, the CESC officials have been resisted by the private respondent from entering the premises to supply a fresh electricity connection.

2. This is the second round of litigation between the parties. By an order dated 22 July, 2025 a Coordinate Bench had disposed of the earlier writ

petition directing the petitioner to make a formal application for a new electricity connection in respect of the subject premises.

3. The CESC Limited is represented and submits that they have no objection to provide an electricity connection to the premises of the petitioner and have completed all formalities. However, they have been resisted by the private respondent.

4. On behalf of the private respondent, it is submitted that there are pending civil disputes between the petitioner and the private respondent. A suit for eviction had also been filed which was dismissed. A second appeal is also pending before this Court. It is also submitted that there are outstanding dues of the petitioner which has not remained unpaid for the last 40 years. By various orders, this Court had granted an opportunity to the parties to try to amicably resolve their differences.

5. On behalf of the petitioner, it is submitted that there is no question of making any outstanding payment on account of rental arrears since there is an underlying transaction of sale by and between the petitioner and the private respondents. The underlying sale agreement is disputed by the private respondent.

6. In view of the rival contention of the parties and keeping in mind the limited scope of this writ petition for an electricity connection, WPA/24004/2025 is disposed of by directing the CESC Limited to take police assistance in providing a new service connection to the petitioner. It is made clear that the entire expense of the police would be borne by the petitioner.

7. It is also made clear that there has been no adjudication on the pending civil rights which are pending before different Courts.

8. This order will create no equity in favour of the petitioner insofar as any pending rights are concerned.

9. With the above directions, WPA/24004/2025 stands disposed of.

(Ravi Krishan Kapur, J.)