

12.05.2026  
SL No.8  
Court No.12  
(gc)

**FMA 1752 of 2025  
CAN 1 of 2026  
In  
WPA 17208 of 2025**

**Keka Ghosh & Anr.  
Vs.  
Surojit Ghosh & Ors.**

Mr. Apurba Kumar Ghosh

...for the Appellants.

Mr. Sumit Roy

...for the WBSEDCL.

1. Affidavit of Service is taken on record. None appears for the writ petitioner.
2. We do not find any reason to interfere with the order of His Lordship. Admittedly, the writ petitioner, in whose favour connection was directed to be provided, is the co-owner of the premises in question. Pendency of the civil suit cannot be a reason for depriving the writ petitioner from enjoying electricity, which is an essential commodity.
3. His Lordship had specifically recorded that the connection to be granted by the distribution company will abide by any order or future direction of the competent Civil Court.
4. It is well-settled that, a person in occupation of the premises shall be entitled to electricity, irrespective of the nature of occupation.

5. Accordingly, the appeal and the connected application are disposed of without any interference.
6. It is made clear that, the connection so supplied to the writ petitioner shall not create any equity and the civil suit will be decided on its own merits, irrespective of the fact that this Court had allowed the application for supply of electricity in favour of the writ petitioner.
7. There shall be no order as to costs.
8. Parties are to act on the server copy of this order.

**(Shampa Sarkar, J.)**

**(Ajay Kumar Gupta, J.)**