

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/329/2025
IA NO: GA/1/2025

MRS. URMILA SINGH AND ANOTHER
VS
C.E.S.C. LIMITED AND OTHERS

BEFORE:
HON'BLE JUSTICE RAJASEKHAR MANTHA
HON'BLE JUSTICE AJAY KUMAR GUPTA
Date : 13th January, 2026.

Appearance :
Mr. Gopal Ch. Ghosh, Sr. Adv.
Mr. S. T. Mina, Adv.
Mr. Raja Mantosh, Adv.
Ms. Smruti Rekha Das, Adv. ...for appellants.

Mr. Rajarshi Dutta, Adv.
Mr. Pranab Sharma, Adv. ...for respondent no.4.

Ms. Susmita Chatterjee, Adv. ...for State.

Mr. Debanjan Mukherjee, Adv. ...for CESC.

Ms. Manju Manot, Sr. Adv.
Ms. Amrita Pandey, Adv.
Mr. Ghanshyam Pandey, Adv. ...for respondent nos.5-7.

1. The appeal is directed against the judgment and order dated 18th December, 2025 in WPO/807/2025 passed by a learned single Bench of this Court. Given the large number of allegations against the appellants/writ petitioners by the other occupants of the building, the single Bench decided to call for affidavits and fixed the matter for hearing tomorrow.

2. The allegations against the petitioners are that all the other occupants of this premises are using it for commercial purpose. The fire licence for the building has been issued considering the fact that the building is a commercial building. The commercial office space are used primarily by advocates practicing inter alia in this court.
3. The appellants/writ petitioners are, however, using the roof of the building after allegedly erecting unauthorized construction thereon.
4. The Fire Licence of the building, is not being renewed since the petitioners/appellants were using the roof as a residence with LPG Gas Cylinders.
5. An application to the CESC for loop meter connection by the applicant was filed in the year 2017, which was resisted by the other occupants. The CESC could not inspect the property in view of the obstruction and objection of the other occupants. No independent connection could be given to the appellants.
6. This court is of the view that the parties would lose a forum if the issue is decided by this court. The single Bench may decide the matter after receiving affidavits as already directed in its order dated 18th December, 2025.
7. The time to file affidavit in opposition to the writ petition is extended by a period of three days from date; reply thereto, if any, be filed within a three days thereafter.

8. The appellants are at liberty to mention the matter for early hearing of the writ petition subject to the business of the learned single Bench permits.
9. It is made absolutely clear that the single Bench shall proceed to decide the matter independently and uninfluenced by any observation made hereinabove.
10. APOT/329/2025 stands disposed of.
11. No order as to costs.

(RAJASEKHAR MANTHA, J.)

(AJAY KUMAR GUPTA, J.)