

EJECTMENT SUIT NO:- 221/2010
(CNR No. WBPS01-001164-2010)
(JO CODE No. WB01229)

Order no. - 84

Dt. 21.03.2022

Today is fixed for P. hearing.

Both parties filed hazira.

Heard Ld. Advocates for both the parties.

Perused the petition and other materials on record.

Heard Ld. Advocate for the defendant filed a petition and submitted that the defendant has an electric meter in his own name and the same was installed in the meter room of the suit property but the plaintiff made a door with lock and key and disconnected the supply of electricity to the defendant shop room and the defendant has requested to the plaintiff to restore the supply of electricity of the suit premises from his own electric meter and to provide a duplicate key of the electric meter room to the defendant but the plaintiff refused to do so and the defendant has no other alternative but to informed the matter to the local P. S. and also filed an application under Section 144 of Crpc. before the Ld. Executed Magistrate and the suit premises is still without supply of electricity and hence, prayed before this court to pass an order directing the plaintiff to restore the supply of electricity at the suit premises and also provide duplicate key in favour of him.

Heard Ld. Advocate for the plaintiff who raised objection and submitted that the defendant is illegally occupying the suit property and the plaintiff did not made any act as alleged by the defendant and the instant petition is misconceive one and liable to the rejected.

Perused the instant petition and other materials on record.

On perusal of the same, it appears that one electric connection is lying in favour of the defendant being consumer no. 32010032022 and as per averments of the defendant that the meter box has been locked and key and the electricity is the necessary requirements of a human being and that can not be estopped for enjoying the same.

Considering the same, the prayer of the defendant is hereby allowed.

The plaintiff of this suit is hereby directed to restore the electric supply of the suit premises in favour of the defendant and also supply the duplicate key to the defendant if the same is under lock and key.

Thus the petition is hereby disposed of.

Today the defendant has filed another petition under Section 151 of CPC.

Copy served to the other side.

Affidavit-in-chief is filed on behalf of the plaintiff.

Copy not served.

Let the same be kept with the record.

Fix **18.05.2022** for hearing the petition under Section 151 of CPC filed by defendant dated 21.03.2022.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.