

27.08.2026
Item No.21 (DL)
Court No.07
(Susanta)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 17073 of 2026

**Shridam Jewellery represented
by Mithu Santra
-Vs-
The West Bengal State Electricity
Distribution Company Limited & Ors.**

Mr. Palash Bapari
...for the petitioner.
Mr. Debanjan Mukherjee,
....for the WBSEDCL.
Mr. Rajdeep Mantha,
Mr. Aayush Sharma,
... For the respondent nos. 5 & 6.

1. Supplementary affidavit filed on behalf of the petitioner is taken on record.
2. The petitioner alleges inaction on the part of the respondent WBSEDCL authorities for not providing electricity supply for commercial purpose in favour of the petitioner.
3. The petitioner contends that the petitioner is the owner of Dag No. 200, Khatina No. 186 in Mouza 17, Village-Kashipur, Para-Santra Para.
4. It is submitted that respondent WBSEDCL authorities may effect supply at the said dag in respect whereof the petitioner has a Trade Licence for carrying on business.
5. The respondent WBSEDCL authorities submit that the load which has been applied for

by the petitioner would require installation of a distribution transformer for stepping down high-tension supply and as such, way leave would be required from the other co-owners.

6. The private respondent nos. 5 & 6 submit that they are co-owners of the property and that the petitioner being one of the co-owners cannot be permitted to utilize a substantial portion of the co-owned property for the purpose of installation of a transformer for the petitioner's own benefit.

7. It is further submitted that the petitioner's contention that the petitioner is the owner of the Dag No. 200, Khatian No. 186 is not correct inasmuch as the petitioner is not the absolute owner of the said Dag and the said dag is also co-owned by the petitioner and the private respondents.

8. Having heard the learned advocates appearing for the respective parties and having considered the material on record it is clear that the dispute pertains to way leave.

9. Rule 3 of the Works of Licensees Rules, 2006 contemplates resolution of such disputes by the appropriate authorities mentioned therein.

10. The District Magistrate of the relevant District is one of such authority. Accordingly,

the petitioner is granted liberty to make appropriate representation before the District Magistrate, Hooghly seeking redressal of the petitioner's grievance.

11. If such representation is made, District Magistrate, Hooghly would draw up appropriate proceedings, get inspection conducted and thereafter dispose of the representation by passing a reasoned order in accordance with law, upon affording an opportunity of hearing to all parties.

12. Needless to mention that the inspection should be conducted in presence of all the parties and copies of the inspection report should be furnished to all parties to enable them to take exception thereto.

13. All parties would be permitted to place their respective cases and the District Magistrate would then take an appropriate decision upon hearing all concerned.

14. The aforesaid exercise would be concluded within a period of eight weeks from the date of the petitioner making the representation.

15. The District Magistrate shall pass a reasoned order, within the aforesaid period, and communicate the same to all the parties within a week of passing thereof.

16. With the above observation WPA 17073 of 2026 stands disposed of. No costs.

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

(Om Narayan Rai, J.)