

N.22Sl

WPA 20544 of 2026

151/CL
24.08.26
DL-06
Ct.-07
(S.R.)

Samail Sk.
v.
WBSEDCL & Ors.

Mr. Suman Basu
Mr. Debapriya Samanta
Mr. Akash Kumar Chakrabarty
Mr. Suhotro Palit ... for the petitioner.

Mr. Supriya Chattopadhyay
Ms. Debosri Chatterjee ... for the WBSEDCL.

Mr. Arghya Mallick
... for the respondent no.5.

1. The petitioner complains of arbitrary action on the part of the respondent WBSEDCL authorities in effecting electricity supply to the private respondent through the transformer, which was initially installed upon the petitioner's request for electricity supply in favour of the petitioner.
2. It is the petitioner's case that the petitioner applied for electricity connection in the year 2013 whereupon, a transformer was installed upon payment of costs and installation charges by the petitioner in favour of the respondent WBSEDCL authorities. The petitioner asserts that since the transformer was installed for effecting electricity supply in favour of the petitioner, therefore, it cannot be used for effecting supply to others

including the private respondents.

3. Learned advocate appearing for the petitioner submits that the WBSEDCL authorities are acting arbitrarily and illegally in using the said transformer to supply electricity to the private respondent, although, the same has been installed for effecting electricity supply only in favour of the petitioner.
4. It is further submitted that the voltage of the petitioner's electricity supply is fluctuating since the electricity licensee is using the said transformer for supplying electricity to others, in addition to the petitioner.
5. Mr. Chattopadhyay, learned advocate appearing for the respondent WBSEDCL authorities submits that transformer was installed for the purpose catering to the need of the people in the locality and the petitioner was only one of them. It is submitted that while the petitioner was the first to get the benefit of the transformer and, as such, he had to bear the costs for its installation but that does not mean that the transformer became the property of the petitioner.
6. In such regard, he relies on Regulation 13 of the West Bengal Electricity Regulatory Commission (Recovery of Expenditure for Providing New Connections) Regulations, 2013.

7. Heard learned advocates appearing for the respective parties and considered the material on record.

8. Regulations 13 of the aforesaid 2013 regulations reads as follows: -

“Ownership of Assets: Irrespective of bearing of the costs of the extended portion of the distribution mains, electrical lines, electrical plants, etc. incurred for the purpose of giving new connections to new consumers either in full or in part, the assets so created shall be under the ownership of the distribution licensee, who shall bear all expenditures for their maintenance and replacement.”

9. A perusal of the aforesaid regulation would make it clear that merely by reason of bearing costs of installation at the threshold, the transformer would not become the property of the petitioner and its ownership would still remain with the distribution licensee i.e. the WBSEDCL authorities only.

10. In any case, it is not the petitioner’s case that the petitioner has been maintaining the transformer from the time of its installation. The first grievance of the petitioner that other consumers should not be given electricity through the said transformer, therefore, does not hold substance.

11. Insofar as the second grievance of the petitioner that the petitioner’s electricity supply is getting fluctuated is concerned, the WBSEDCL authorities

would indeed remain obliged to look into such grievance and to redress the same, if it is found, that the petitioner's electricity supply is fluctuating because of some fault on the part of the WBSEDCL authorities. If, the WBSEDCL authorities find that such fluctuation it is due to overloading, they will take appropriate corrective steps in such regard.

12. Needless to mention that the WBSEDCL authorities shall conduct appropriate inspection and take appropriate measures, in accordance with law for the purpose of redressal of the grievance of the petitioner, if the same is found genuine and redressable by the WBSEDCL authorities (i.e. the fault is not at the consumer's installation within a period of four weeks from date).
13. It is made clear that this Court has not gone into the merit of the petitioner's grievances.
14. With the above observations, WPA 20544 of 2026 stands disposed of. There shall be no order as to costs.
15. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)