

12 11-04-2025
AKG
Ct. 15

WPA 1736 of 2025
Mosarraf Hossain Gazi
Vs.
West Bengal State Electricity Distribution Company Limited & Ors.

Mr. Nirmalendu Bera, Mr. Gora Chand Samanta	...for the Petitioner
Mr. Amitabh Shukla	...for WBSEDCL
Ms. Juin Dutta Chakraborty, Mr. Bidan Modak, Ms. Arpita Kundu	...for Respondent No. 10

The petitioner alleges that the West Bengal State Electricity Distribution Company Limited (WBSEDCL) has installed six electric poles on a plot of land and a pathway allegedly belonging to him, for the purpose of providing electricity connections to local villagers.

However, learned counsel appearing on behalf of WBSEDCL denies the said allegation. It is the stand of WBSEDCL that respondent no. 10 has voluntarily gifted a parcel of land to the Company for the purpose of constructing an electricity sub-station, and that the ongoing construction is being carried out exclusively on the gifted land, without encroaching upon any portion of the petitioner's property.

Learned counsel representing respondent no. 10 also supports the stand taken by WBSEDCL. It is submitted on behalf of respondent no. 10 that he has voluntarily gifted a portion of land owned by him for improving low-voltage

electricity connections in the concerned village.

It is also not in dispute that the petitioner has instituted a title suit before the competent Civil Court, asserting his right, title, and interest over the land in question. It further appears that WBSEDCL has been impleaded as a party in the said pending civil suit.

In the facts and circumstances of the present case, this Court is not inclined to pass any direction in the writ petition. However, liberty is granted to the petitioner to make an appropriate application before the Civil Court in the pending suit.

Accordingly, **WPA 1736 of 2025** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)