

Sl. No.36
05.08.2025
Suman
Ct. 15

WPA 4936 of 2025

Mrityunjoy Sen
Vs.
West Bengal State Electricity
Distribution Company Limited and Ors.

Mr. Sabyasachi Hazra
..for the petitioner

Ms. Sumita Shaw
Mr. Soumen Chatterjee
Mr. Alok Banerjee
..for respondent no.6

Mr. Supriyo Chattopadhyay
Ms. D. Chatterjee
..for WBSEDCL

The facts involved in this case are apparent from
the order dated May 20, 2025, which is reproduced
below:

“The petitioner alleges that the West Bengal State Electricity Distribution Company Limited (WBSEDCL) has installed an electricity pole on a plot of land owned by him.

The report of WBSEDCL suggests that there exists no pole installed by WBSEDCL on the plot of the petitioner.

Let the petitioner file a supplementary affidavit annexing a certificate from a duly qualified surveyor to substantiate his allegation that the relevant electricity pole is installed on his plot of land.

List this matter two weeks after the upcoming summer vacation under the same heading. In the meantime, the petitioner shall file the supplementary affidavit with a copy to the learned advocate appearing for WBSEDCL”.

In compliance with the said order, learned counsel for the petitioner has filed a supplementary affidavit annexing a sketch map prepared by a surveyor.

The sketch map indicates that two electricity poles have been erected on R.S. and L.R. Plot No. 322, under Mouza–Moyrapukur.

Learned counsel for the petitioner has also produced a copy of a decree passed in Title Suit No. 311 of 1968 by the learned Munsiff, First Court, Bishnupur, Bankura, to claim ownership of the southern portion of R.S. and L.R. Plot No. 322.

This Court, however, is not in a position to adjudicate the petitioner's ownership claim on the basis of the decree produced. Such an issue can only be determined by a competent Civil Court.

Accordingly, the writ petition is disposed of, granting liberty to the petitioner to ventilate his grievance, if any, before the competent Civil Court.

Accordingly, **WPA 4936 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)