

16.05.2025
Sl. No.18
Ct. No.15
S.A.

WPA 5348 of 2025

Panchugopal Tanti

-vs-

The State of West Bengal & Ors.

Mr. Sounak Bhattacharya

Mr. Sounak Mandal

Mr. Abhirup Halder

...for the petitioner

Mr. Kanak Kiran Bandyopadhyay

...for WBSEDCL

Mr. Suprabhat Bhattacharya

...for respondent nos.7 & 8

The petitioner seeks an electricity connection for his residential premises.

Let the report filed by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) be kept on record.

The relevant portion of the said report is reproduced below:

“1) The petitioner’s house is situated approximately 20 feet from an existing WBSEDCL LT pole, which under normal circumstances would serve as the logical source for the proposed connection.

2) The stretch of land over which the electric line would need to be drawn – between the LT pole and the petitioner’s premises – is disputed land. Two individuals {viz 1) Nitai Chand Mondal, 2) Jagannath Mondal Both sons of Late Rakhal Chandra Mondal, Residing at Village and Post Office Gilarchat, Police Station Raidighi, District 24 Parganas (South), PIN 743354 (as describe in clause no.7 & 8 of W.P.A. 5348 of 2025)}, not connected to the petitioner, claim

ownership of this strip of land and have been persistently resisting the drawal of the overhead service line.

3) No alternative pole or route within the vicinity was found that could serve as a technically feasible or cost-effective point of connection. Thus, the existing pole remains the only viable source for providing service to the petitioner which is situated at the land of Nitai Chand Mondal, 2) Jagannath Mondal Both sons of Late Rakhal Chandra Mondal, Residing at Village and Post Office Gilarchat, Police Station Raidighi, District 24 Parganas (South), PIN 743354 (as describe in clause no.7 & 8 of W.P.A. 5348 of 2025)}.”

The issue concerning the grant of way leave has already been settled by a judgment of a Single Bench of this Court reported at **AIR 2012 Cal 205 (Sk. Samsud Doha v. West Bengal State Electricity Distribution Co. Ltd.)**.

Upon consideration, I am of the view that Respondent Nos. 7 and 8 cannot reasonably object to the proposed electricity connection to be provided to the petitioner. Respondent Nos. 7 and 8 are, however, entitled to seek compensation from the licensee company.

In view of the above, liberty is granted to Respondent Nos. 7 and 8 to file an application under Rule 3(b) of the Workshop Licence Rules, 2003, solely for the purpose of seeking compensation from the licensee company.

The Officer-in-Charge of Raidighi Police Station is directed to extend necessary assistance to the officials of WBSEDCL to facilitate the execution of the electricity connection, at the petitioner's expense.

It is clarified that the grant of electricity connection shall not confer any right, title, or interest upon the petitioner in respect of the property.

Accordingly, **WPA 5348 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.)