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20-05-2025
AKG
Ct. 15

WPA 5494 of 2025
Smt. Rimpa Biswas
Vs.
The State of West Bengal & Ors.

Mr. Mit Guha Roy
...for the Petitioner
Mr. Dibyayan Banerji
Ms. Utsa Podder
...for Respondent No. 6
Mr. Nikhil Kr. Gupta,
...for the State

The West Bengal State Electricity Distribution Company Limited (WBSEDCL) is not represented at the time of call.

The petitioner is the daughter-in-law of respondent no. 6. It is submitted that the petitioner’s husband has instituted divorce proceedings against her. The petitioner has also initiated proceedings under the Protection of Women from Domestic Violence Act, 2005. By an order dated April 8, 2025, the learned Judicial Magistrate, 9th Court at Alipore, directed that the peaceful possession of the petitioner over the first floor of the premises located at Bagakhali, Purba Mondal Para, Khagramuri Gram Panchayat, P.S. Bishnupur, Bishnupur Block-II, South 24 Parganas—described as a shared household—not be disturbed.

The petitioner alleges that respondent no. 6 has

willfully disconnected the electricity line, which stood in her name, solely to harass the petitioner.

The petitioner now seeks a separate electricity connection in her own name for the portion of the premises under her occupation.

Learned counsel appearing for respondent no. 6 contends that the property in question belongs exclusively to the respondent no.6 and does not constitute the petitioner's matrimonial home. It is further submitted that the petitioner cannot assert possession over a property owned solely by respondent no. 6, and that the request for an electricity connection is merely an attempt to establish possession over the said premises.

In my considered view, since a competent Court has already recognised the petitioner's possession over the relevant portion of the premises, she is entitled to a separate electricity connection for the area under her occupation.

In view of the above, WBSEDCL is directed to provide a separate electricity connection to the petitioner within a period of three weeks from the date of this order, subject to the petitioner's compliance with all necessary formalities.

It is clarified that the grant of an electricity connection does not confer any equitable or proprietary rights over the

property. The connection to be provided in favour of the petitioner shall have no bearing on the merits of the ongoing litigation between the parties.

Accordingly, **WPA 5494 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.)