

02.05.2025

Item No. DL21
Court No. 15

Asraf, A.R.(Ct.)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Case No. **WPA 8489 of 2025**

HANIF HAQUE

....Writ Petitioner

VS.

THE STATE OF WEST BENGAL & ORS.

....Respondents

For the Petitioner :

Mr. Mahammad Mahmud
Mr. Mahfuzus Salam Mollah

....Advocate

For the WBSEDCL :

Dr. Madhusudan Saha Ray

....Advocate

For the Respondent nos.5 & 6 :

Mr. Gazi Faruque Hoque
Ms. Varsha Ray

....Advocates

The petitioner's prayer for an electricity connection has been vehemently opposed by respondent nos. 5 and 6. This is not the first instance of such objection; it appears that the present writ petition has been preceded by at least two earlier writ proceedings (WPA 10395 of 2024 and WPA 29855 of 2024) before this Court.

Respondent nos. 5 and 6 contend that the electricity connection sought by the petitioner involves the installation of electricity poles on R.S. Plot No. 1114, which has been subsequently renumbered as L.R. Plot No. 1207.

However, learned counsel appearing on behalf of the petitioner, along with learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL), jointly submit that the electricity poles have, in fact, already been installed on L.R. Plot No. 1672. Accordingly, respondent nos. 5 and 6 have no valid ground to object to the installation of poles on L.R. Plot No. 1672.

It is further submitted that the issues raised in the present writ petition have already been adjudicated in the aforementioned two previous writ petitions.

It must also be noted that even if, as alleged, the land of respondent nos. 5 and 6 has been used for the installation of electricity poles, they cannot legitimately object to the grant of electricity connection in favour of the petitioner. At most, they may claim compensation from the licensee; however, such objection cannot be a ground to deny the petitioner an electricity connection.

In view of the above, I am not inclined to entertain the objections raised by respondent nos. 5 and 6.

Accordingly, WBSEDCL is directed to effect the electricity connection within a period of four weeks from the date of this order, with necessary assistance from the local police. The Officer-in-Charge of Dadpur Police Station is directed to extend appropriate assistance to the officials of WBSEDCL in carrying out the connection, at the cost of the petitioner.

It is, however, clarified that respondent nos. 5 and 6 shall be at liberty to approach the District Magistrate for compensation, if it is found that their land has indeed been utilized for providing the electricity connection to the petitioner.

With the aforesaid observations, **WPA 8489 of 2025** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Kausik Chanda, J.)