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19-05-2025
AKG
Ct. 15

WPA 8777 of 2025
Pratima Das
Vs.
State of West Bengal & Ors.

Mr. Anindya Ghosh, Mr. Pronojit Roy	...for the Petitioner
Dr. Madhusudan Saha Roy	...for WBSEDCL
Mr. Arindam Mondal, Ms. Tanusri Pal Chowdhuri	...for the State
Mr. Sandip Das	...for Respondent No. 7

Liberty is granted to the petitioner to correct the cause-title.

The petitioner seeks an electricity connection for his residential premises. This prayer is vehemently opposed by respondent No. 7.

Respondent No. 7 claims to be the owner of the relevant premises.

It has been submitted by him that the District Magistrate of Howrah, by an order dated March 6, 2025, has already rejected the prayer for connection. Further, it is argued that respondent No. 7 has filed a title suit before the competent civil court, in which an injunction order has been passed restraining the petitioner from altering the nature and character of the suit premises.

West Bengal State Electricity Distribution Company Limited (WBSEDCL) submits that it has no objection to effecting the electricity connection but has been unable to do so due to physical resistance from respondent No. 7.

In light of the above, I find no justification for declining the electricity connection to the petitioner. The District Magistrate of Howrah, in the order dated March 6, 2025, refused the prayer for connection solely on the ground that the land in question belongs to the Irrigation Department of the State and that the petitioner could not produce any deed or property documents supporting her claim for the electricity connection.

It is well-settled law that a person in settled possession of a property is entitled to obtain an electricity connection, irrespective of his title to the property. It is equally well-settled that the provision of an electricity connection does not alter the nature or character of the suit property.

Therefore, this writ petition is disposed of with a direction to WBSEDCL to effect the electricity connection on the premises of the petitioner within three weeks from the date of this order.

The Officer-in-Charge of Shyampur Police Station shall render the necessary assistance to the officials of WBSEDCL for the implementation of this order at the cost

of the petitioner.

It is clarified that the electricity connection shall not create any equitable right in favour of the petitioner and shall have no bearing on the pending civil suit between the parties.

Accordingly, **WPA 8777 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.)