

S/L 27
23.12.2025
Court. No. 25
sourav

WPA 11047 of 2025

**S. S. Construction
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.**

*Mr. Satyam Mukherjee
Ms. Sayani Ahmed
Mr. P.S. Ghosh
Mr. Saibal Rakshit*

...for the petitioner.

*Dr. Modhusudan Saharay
Ms. Debangana Dey*

...for W.B.S.E.D.C.L.

*Mr. Pannalal Bandyopadhyay
Mr. Abhijit Ghoh*

...for the respondent no. 5.

*Mr. Abhijit Mondal
Ms. Puja Goswami*

...for the respondent nos. 6 to 11.

1. The petitioner has filed the present writ application praying for a direction upon the respondent nos. 3 and 4 for taking appropriate steps for installation of new electric connection in the property being “Gulmohar Villa” situated at Mouza – Khoradabahera, J.L. No. 06, R. S. Dag Nos. 334 and 335, L. R. Dag No. 1079, L.R. Khatian No. 1065, under P.S. – Uttarpara, District – Hooghly.
2. The petitioner submits that the petitioner has applied for grant of electric connection and accordingly, the authorities have issued the quotations and as per the quotations, the petitioner has paid the amount, but in spite of the payment of the amount, the authorities have not provide the electric connection because of there is an objection from the villagers.

3. Learned counsel for the petitioner further submits that the petitioner has received a communication from the WBSEDCL on April 22, 2025 wherein it is informed that the authorities came to know that with respect to the said property, a civil suit is pending and in the said civil suit there is an order of *status quo* passed by the learned Civil Court and as such, the authorities are not in a position to provide electric connection to the petitioner.
4. In terms of the order passed by this Court, the authorities have filed the report. In the report it is mentioned that the authorities are ready and willing to provide the connection to the petitioner but there is an objection from the villagers and there is a civil suit is pending before the Civil Court wherein an order of *status quo* has been passed due to which the authorities are not in a position to provide the electric connection to the petitioner.
5. Learned counsel for the petitioner has relied upon the judgment in the case of ***Sk. Samsud Doha Vs. The West Bengal State Electricity Distribution Co. Ltd. & Ors.*** reported in ***2012 SCC Online Cal 4314*** wherein the co-ordinate Bench of this Court has held that mere objection of a owner/occupier to lay such works on his land cannot be a reason for the licensee to shrink its statutory duty to supply electric energy which are essential service and an ingredient of the fundamental right to life of an individual in modern day society. He further submits that the co-ordinate Bench has further held that mere pendency of the civil suit and the order of the *status quo* as to nature and character of the suit property also does not stand in the way of

WBSEDCL to discharge its statutory duty and provide electric connection to the petitioner who is admittedly an occupier of the property.

6. Heard the learned counsel for the respective parties.
7. Perused the materials on record and the judgment relied by the parties.
8. Learned counsel for the private respondent nos. 6 to 11 prays for time to file affidavit-in-opposition.
9. This Court finds that the WBSEDCL has not provided the electricity connection only on the basis of the objection raised by the private respondents on the ground that they have initiated a civil suit and there is an order of *status quo*. This Court finds that the petitioner has applied for electric connection and on receipt of the application, the WBSEDCL has issued the quotations and the petitioner has already deposited the said amount. The WBSEDCL has not provided the electricity connection due to the objection and the order of *status quo* passed by the learned civil Court.
10. It is a settled law that mere objection by the villagers and mere obtaining the order of *status quo* with respect of the property will not prevent the WBSEDCL for providing electric connection to the petitioner as the electric connection is the essential service.
11. Considering the above, WBSEDCL is directed to provide the electric connection to the petitioner within a period of four weeks from the date of compliance of all formalities by the petitioner.
12. It is made clear that at the time of grant of electric connection by the WBSEDCL to the petitioner, if there is an

objection from any corner, the Officer-in-Charge, Uttarpara Police Station shall provide necessary police protection to the officials of the WBSEDCL for providing electric connection in the premises of the petitioner.

13. It is further made clear that if any charges is required to be paid for police protection, the same shall be borne by the petitioner.
14. **WPA 11047 of 2025** is disposed of.
15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)