

19.12.2025
(D/L-18)
Ct. No.25
(B.K.N.)

W.P.A. 11930 of 2025
Achinta Kumar Halder & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Samrat Saha
... for the Petitioners

Mr. Jagabandhu Roy,
Ms. Kum Kum Das
... for the State

Mr. Sunit Sankar Koley
... for the W.B.S.E.D.C.L.

Mr. Sattik Rout,
Ms. Sudeshna Maji
... for the Respondent No. 4 to 6

1. The petitioners have filed the present application for disconnection of the electric connection provided in the name of Suniti Majhi, private respondent no. 4.
2. He submits that since the private respondent no. 4 has obtained the electric connection fraudulently by showing that she is the daughter of late Pushpa Rani Chakraborty.
3. The further grievance of the petitioner is that the private respondent no. 4 has made an application before the W.B.S.E.D.C.L for disconnection of the meter connection which was provided in the name of the grandmother of the petitioner nos. 2 and 3 and in the application which the private respondents have requested the W.B.S.E.D.C.L for disconnection of the electric connection, in that application she has stated

that she is the daughter of the deceased Pushpa Rani Chakraborty.

4. Another prayer of the petitioners before this Court that the electric connection which was provided in the name of the grandmother of the petitioner was disconnected but the W.B.S.E.D.C.L has not refunded the security deposit.
5. This Court has called for the original records from the W.B.S.E.D.C.L with regard to the application filed by the private respondent for disconnection of the electric connection which was provided in the name of the grandmother of the petitioner nos. 2 and 3. The authority has produced the file wherein it is found that one application is filed on 22nd May, 2024 in the name of Suniti Majhi for permanent disconnection of the meter connection being Consumer I.D. No. 153024259. The authorities have also produced the original file wherein the private respondents have applied for grant of electric connection. The said file consists of original form submitted by the private respondents alongwith the connected documents that are Aadhar Card, Election Identify Card, Gas Connection Card and the copy of the case filed before the Sub-divisional Executive Magistrate at Barasat.
6. The grievance of the petitioners is that the private respondents by mentioning that she is the daughter of the deceased Pushpa Rani Chakraborty has applied for

disconnection of the electric connection which was provided in the name of the Pushpa Rani Chakraborty. Thereafter she is not connected with Pushpa Rani Chakraborty.

7. This Court considered the original application filed by the private respondent no. 4. The learned counsel for the private respondent no. 4 has denied that the signature appearing in the said letter is not of the private respondent no. 4. This Court finds that only on the basis of one paper application the authority has disconnected the electric connection of the Pushpa Rani Chakraborty but no proceeding has been drawn. Now the private respondent no. 4 has stated that the signature appearing in the said application is not of the private respondent no. 4. Accordingly, the W.B.S.E.D.C.L is directed to forward the copy of the application alleged to have been submitted by the private respondent no. 4 to the concerned police authorities within a period of one week from date and if any complaint is received by the concerned police authority, the police authority will investigate the matter and to see whether the private respondent no. 4 has applied for disconnection of the electric connection in terms of this letter dated 22.05.2024 and to take appropriate steps in accordance with law.
8. As regards the grant of electric connection to he respondent no. 4, respondent no. 4 has applied for

electric connection in her name by incorporating documents and this Court does not find any contrary document that Suniti Majhi has misrepresented before the authority that she is the daughter of Pushpa Rani Chakraborty.

9. It is not the prayer of the petitioner that the electricity connection which has been disconnected is to be restored. The only grievance of the electric connection which was in the name of the Pushpa Rani Chakraborty was disconnected that may be made as permanent and the security deposit made by Pushpa Rani Chakraborty at the time of obtaining the electricity connection may be refunded. In view of the above the W.B.S.E.D.C.L is directed that the electricity connection which was provided in the name of Pushpa Rani Chakraborty and now disconnected be made as permanent disconnection and the security deposit be refunded to the petitioners within a period of two weeks from the date of receipt of this order.
10. As regards the disconnection of the electric connection of the respondent no. 4 is concerned this Court finds that the petitioners have already initiated a civil case before the appropriate Civil Court is for eviction of the private respondents. Admittedly the private respondents are in possession of the property in question. Thus it is settled law that the illegal occupier is also entitled to get a electric connection. Thus it is

not proper for this Court at this stage to pass any order for disconnection of the electric connection. But it is made clear that getting an electricity connection will not create any right, title and interest of the private respondent over the property in question.

11. The original records are returned back to the learned advocate appearing for the W.B.S.E.D.C.L.
12. **W.P.A. 11930 of 2025** is disposed of.
13. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Krishna Rao, J.)