

02.09.2025
Sl. No. 102
AMR
Ct.No.15

WPA 16282 of 2024

Bahal Ali Mollah
-vs.-
The WBSEDCL & Anr.

Mr. Indranil Halder

...for the petitioner

Mrs. Gopa Roy
Mr. Debanjan Mukherjee

...for the WBSEDCL

Seeking an electricity connection for his submersible pump set, the writ petitioner earlier filed WPA 14068 of 2023 (*Bahal Ali Mollah vs. WBSEDCL & Ors.*) before this Court.

A Co-ordinate Bench of this Court disposed of the said writ petition by an order dated September 5, 2023, with the following directions:

"Accordingly, WPA 14068 of 2023 is disposed of by granting liberty to the petitioner to approach the concerned District Magistrate having territorial jurisdiction in the area to obtain necessary orders from the Magistrate and resolution of the dispute between the petitioner and the objectors in that regard.

Upon such approach being made, the District Magistrate shall decide the issues in accordance with law and resolve the matter, preferably within eight weeks from the date of such approach being made by the petitioner."

In compliance with the aforesaid order dated September 5, 2023, the concerned District Magistrate passed the following order on December 13, 2023:

"That the D.E. & Station Manager, Sagardighi C.C.C., W.B.S.E.D.C.L., Murshidabad is directed give effect to the STW connection of Bahal Ali Molla and draw the line of L.T cable through the south border side of Plot 1154 of Mouza- Belaipara, P.O.: Khairati, P.S.: Sagardighi, District: Murshidabad by one week positively from the date of communication of this order.

The Block Land and Land Reforms Officer, Sagardighi Block, Murshidabad is directed to assist D.E. & Station Manager, Sagardighi C.C.C., W.B.S.E.D.C.L., Murshidabad in execution of this instant order.

The Officer-in-Charge, Sagardighi Police Station is directed to render all sorts of police assistance to the Block Land and Land Reforms Officer, Sagardighi Block, Murshidabad in this regard, as mentioned supra.

With this direction the matter is disposed of and solemn order dated 05.09.2023 of the Hon'ble High Court at Calcutta, in connection with W.P.A. No. 14068 of 2023 is complied with. That this order does not suffer from any legal infirmities warranting any interference and shall have effect from the date of communication of the order.

The original copy of this order shall be kept in file and let the copy be communicated to all the petitioners, respondents and to all other concerned officers."

Pursuant to the order of the District Magistrate dated December 13, 2023, a provisional quotation of ₹3,49,704/- was raised for effecting the connection in favour of the petitioner.

Aggrieved thereby, the petitioner has filed the present writ petition questioning the quotation issued by WBSEDCL.

By an order dated August 20, 2024, this Court directed WBSEDCL to file an Affidavit-in-Opposition disclosing the proposed route and an item-wise break-up of the demand.

The affidavit filed by WBSEDCL indicates that the final demand stands at ₹3,54,177/-, together with a security deposit of ₹4,033/-, totaling ₹3,58,210/-.

Learned counsel appearing for WBSEDCL submits that, after considering all relevant aspects, the concerned District Magistrate passed the order, which the officials of WBSEDCL are duty-bound to implement. It is submitted that the quotation was raised to give effect to the District Magistrate's order.

Today, learned counsel appearing for the petitioner submits that there are other submersible pump connections in the vicinity, and the petitioner's connection can be effected from one of those existing sources. It is contended that this issue ought to be decided by the designated Grievance Redressal Officer.

On the other hand, learned counsel for WBSEDCL submits that there is no such available source from which the petitioner's connection may be effected.

This Court is of the view that such a disputed factual issue cannot be adjudicated in the present writ proceedings, nor is there any reason to keep the writ petition pending on that score.

Accordingly, the writ petition stands disposed of with a direction upon the Grievance Redressal Officer, Murshidabad, to consider the petitioner's contention and take an appropriate decision in accordance with law within a period of one month from the date of communication of this order.

With the above observations and directions, the instant writ petition, being WPA 16282 of 2024, 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.)