

Form No. J.(2)
Item No. 12
AB

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 1727 of 2025

Smt. Pinkey Rai
Vs.

The State of West Bengal & Ors.

For the petitioner	:	Mr. Pratap Khati, Advocate Ms. Shavon C Lepcha, Advocate
For the State	:	Mr. Subir Kumar Saha, Ld. AGP Mr. Kumar Shantanu, Advocate
For WBSEDCL	:	Mr. Sudipta Kanta Bhowmik, Advocate Mr. Anirban Banerjee Ms. Dipti Bhowmik, Advocate
Heard on	:	September 1, 2025
Judgment on :	:	September 1, 2025

Aniruddha Roy, J.

Affidavit of service filed in Court today, is taken on record.

Learned counsel for the respondents has placed a report dated **August 18, 2025**, the same is taken on record.

The solitary prayer of the petitioner in the writ petition is as follows:

“I. Issue a Writ of Mandamus directing the Respondents particularly West Bengal State Electricity Distribution Company Limited (WBSEDCL) authorities to forthwith pay compensation of Rs.50,00,000/- (Rupees Fifty Lakhs only) to the petitioner for the death of her husband due to their gross negligence.”

The rest are of consequential reliefs.

The petitioner on the basis of the allegation made in the writ petition claims compensation. This is a triable issue. To assess the correct figure of compensation, if any, payable to the petitioner, a proper trial is required to take place for which this Constitutional Court in exercise of its power under Article 226 of the Constitution of India is not the forum.

Accordingly, this writ petition **W.P.A. 1727 of 2025** stands **dismissed**, without any order as to costs.

However, this order of dismissal of this writ petition shall not preclude the petitioner to institute appropriate proceeding before the appropriate forum on the self-same cause of action and the claim, if the petitioner is otherwise entitled to do so in law.

It is also made clear that, this Court has not gone into the merits of the rival claims of the parties in this writ petition.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)