

05.05.2026
M/L No.17
Court No.12
(gc)

**FMA 372 of 2026
CAN 1 of 2026
In
WPA 28044 of 2025**

**Sk. Basir Alam
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.**

Mr. Debasis Mitra,
Ms. Priya Chakraborty

...for the Appellant.

Mr. Madhusudan Saha Ray,
Mr. Debanjan Chatterjee

...for the WBSEDCL.

1. We are not inclined to either pass any order of stay or deny grant of electric connection to a person, who is entitled to supply of electricity as an essential service. The appellant is the developer. He submits that supply could not be effected as possession had not been handed over.
2. We are of the view that, not handing over of possession of the flat is inconsequential, as admittedly there is a registered deed of conveyance in favour of the writ petitioner, which the appellant as the developer had also executed. Under such circumstances, any dispute between the developer and the writ petitioner, can be decided by a Civil Court.

3. Accordingly, the appeal and the connected application are dismissed.
4. There shall be no order as to costs.
5. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)