

Item No.4
25.03.2026
Court. No. 12
GB

FMA 286 of 2026
With
CAN 1 of 2026

Sumita Sadhukhan
Vs.
WBSEDCL & Ors.

*Mr. Bidyut Kumar Halder,
Mr. Indranil Halder*

...for the Appellant.

*Mr. Supriyo Chattopadhyay,
Mr. Deborshi Chatterjee*

...for the WBSEDCL.

1. The appeal has been filed from an order dated January 22, 2026 passed in WPA 28217 of 2025. The grievance of the appellant was against the failure of the respondent WBSEDCL in providing an electric connection at the residence of the appellant. The appellant prayed for domestic connection.
2. It was submitted on behalf of the WBSEDCL before the writ court that an outstanding amount in excess of Rs.40,00,000/- was due and payable in respect of the same premises.
3. Mr. Halder, learned advocate for the appellant vehemently opposes such contention of the respondent, inter alia, stating that the premises in which the electric connection had been prayed for, did not have any outstanding dues. The dues of the father-in-law of the appellant was in respect of

another plot, in respect of an industrial connection.

There was no nexus between the two.

4. His Lordship rejected the said writ petition on the ground that the service connection was sought for in a circuitous manner, in order to wriggle out from the liability of the father-in-law. His Lordship specifically recorded that, the appellant had approached the writ court with unclean hands and no equity in her favour existed. His Lordship specifically found that there was gross suppression of facts and misrepresentation by the writ petitioner.
5. Mr. Chattopadhyay, learned advocate for the WBSEDCL relies on a communication made by the WBSEDCL with regard to the outstanding dues, in respect of the self-same premises. It is further submitted that the nexus was established. On an earlier occasion the husband of the writ petitioner had approached the writ court for grant of new connection and the writ petition was dismissed with costs. He further submits that a civil suit was also filed, which was dismissed.
6. These issues were not before the writ court and we are not inclined to go into the issues involved but, when the court had found suppression, we are not inclined to entertain the appeal.
7. Accordingly, the appeal and the connected application are dismissed.

8. However, we direct the WBSEDCL to inform the appellant the reasons for non-grant of domestic connection to the premises of the appellant on the ground of outstanding dues in respect of the father-in-law of the appellant and also give the details of the proceedings in which the prior writ petition had been dismissed and self-same prayers were denied. The result of the civil suit and the nature of prayers in the suit must also be disclosed. The nexus between the erstwhile consumer and the appellant shall also be indicated in the communication. Such communication shall reach the appellant within a period of six weeks from date.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)