

Item No.8
02.07.2026
Court. No. 12
GB

FMA 396 of 2026
With
CAN 1 of 2026

Sajal Mukherjee
VS
The West Bengal State Electricity Distribution
Company Limited & Ors.

*Mr. Usof Ali Dewan,
Mr. Arup Sarkar,
Mr. Mehedi Masud*

...for the Appellant.

*Mr. Dr. Madhusudan Saha Roy,
Mr. Debanjan Chatterjee*

...for the WBSEDCL.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The appeal arises out of an order dated February 3, 2026, passed in WPA No.17023 of 2025. The learned Judge dismissed the writ petition which was filed with a prayer for grant of new connection to the appellant's submersible pump. His Lordship held that, in the event the appellant desired to obtain supply of electricity to the submersible pump which had been installed at Plot No.264 of Mouza – Bujrukh, the appellant would have to pay Rs. 4,27,247/-, being the outstanding dues payable in respect of a connection which had been granted to his deceased father.
3. Clause 13.9 of Regulation 46/WBERC provides as follows:-

“13.9 For getting new connection for supply of electricity from a licensee, an intending consumer

shall be required to pay all outstanding dues to the licensee in respect of any other service connection held in his/her name located in the area of supply of the same licensee and he/she shall also be responsible for payment of outstanding charges calculated in a prorated manner, if it is established that he/she has had a nexus with the previous consumer(s) including the purchaser/the new lessee/the new tenant of a property or a portion thereof in respect of which there are outstanding charges and/or who has/had benefited from non-payment of the aforesaid outstanding dues by the previous consumer(s) to the licensee.”

4. From the said circular, it is evident that the outstanding dues of a previous consumer, within a particular area of supply of the concerned licensee, is to be borne by the subsequent consumer on prorata basis provided there is a nexus between the two consumers. The appellant is one of the legal heirs of the deceased consumer, who had left outstanding dues towards consumption charges, against Plot No.286 of Mouza – Dakshin Debogram.
5. Thus, in our interpretation of the said clause, the appellant will be required to pay 1/4th of the outstanding dues of Rs.4,27,247/- of his deceased father, in respect of Plot No.286 within Mouza – Dakshin Debogram.

6. With regard to the claim from the other heirs of the deceased consumer, the WBSEDCL is at liberty to act and proceed in accordance with law.
7. Upon the appellant paying the amount as directed hereinabove and upon compliance of other necessary formalities including grant of way leave, new connection shall be supplied to the appellant within 48 hours from compliance.
8. Accordingly, the appeal and the connected application are disposed of.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Smita Das De, J.)