

31.03.2026

Ct. No. 7
Sl. Nos. 13
RANJAN

WPA 6598 of 2026

**GOLAM RASUL
VS.
THE WEST BENGAL STATE ELECTRICITY
DISTRIBUTION COMPANY LIMITED AND ORS.**

Mr. Usof Ali Dewan
Mr. Mehedi Masud
.....for the Petitioner
Mr. Debjit Mukherjee
.....for the WBSEDCL

The grievance of the petitioner is directed against that unlawful supply of an electricity connection from a transformer which the petitioner alleges to be his transformer.

On behalf of the WBSEDCL, it is submitted that in view of the Notification No. 53/WBERC dated 2nd April, 2013 (Clause 13), the petitioner has no proprietary interest in the assets which is the exclusive property of the WBSEDCL.

In support of such contention, the respondent WBSEDCL relies on an unreported decision dated 12.03.2026 passed in *WPA No. 4761 of 2026 (Sri Sujit Ghosh Vs. The State of West Bengal & Ors.)*.

In view of the submissions made on behalf of the parties, there is no enforceable legal right which the petitioner has been able to demonstrate insofar as the subject transformer is concerned.

Clause 13 of the Notification dated 02.04.2013 is as follows:

“13. Ownership of the assets:

Irrespective of bearing of the costs of the extended portion of the distribution mains, electrical lines, electrical plants, etc. incurred for the purpose of giving new connections to new consumers either in full or in part, the assets so created shall be under the ownership of the distribution licensee, who shall bear all expenditures for their maintenance and replacement.”

It is evident from the submissions made on behalf of the parties that the transformer is not an asset of the petitioner but that of the distribution company.

The cause of action in this writ petition is misconceived. The grievance of the petitioner is based on a misconception of facts. There is no merit in the writ petition. The petitioner cannot claim any proprietary interest in respect of the assets of the distribution company i.e. WBSEDCL. WPA 6598 of 2026 stands dismissed.

(RAVI KRISHAN KAPUR, J.)