

AD -16
Ct No.16
09.01.2026
(SSS)

CPAN 1112 of 2023
in
WPA 14327 of 2022

Durgadas Gorain
Vs.
Sri Ayan Chatterjee and Ors.

Mr. Satya Ranjan Kundu
....For the petitioner.

Mr. Sujit Sankar Koley
....For the alleged contemnors.

1. The affidavit of compliance filed by the alleged contemnors today be kept on record.

2. Learned counsel for the alleged contemnors, by placing reliance on the annexures thereto, submits that the order of this Court dated August 10, 2022 passed in WPA 14327 of 2022 has been complied with by disconnecting the supply of the respondent no. 5 in the writ petition and thereafter giving fresh connection to the said respondent upon ascertainment of appropriate procedure having been complied with by the said respondent.

3. Learned counsel for the petitioner controverts such submissions and argues that the respondent no. 5 has been given commercial connection in residential premises, even without the formalities

of law having been duly complied with by the respondent no. 5.

4. Be that as it may, it transpires from the parent order dated August 10, 2022 that the direction on the WBSEDCL was restricted to the extent that the WBSEDCL was to disconnect electricity at the premises-in-question standing in the name of Prafulla Karmakar (Consumer ID. 242024684).

5. Such disconnection, as shown before this Court, has already been effected, thereby complying with the direction of this Court.

6. In the subsequent portion of the parent order, the Court had observed that such disconnection shall not preclude any settled occupant, including respondent no. 5, if in occupation, from applying for a fresh electricity connection in their own name, upon which the WBSEDCL would be at liberty to process such application in accordance with law, subject to compliance of all formalities by such applicant.

7. As such, the second part of the parent order did not comprise of any specific direction or restraint order on the WBSEDCL but was merely couched in the form of a liberty to the WBSEDCL to process any fresh application without being precluded by the disconnection directed by this Court.

8. Hence, even if the present petitioner is aggrieved by such fresh connection being given by the WBSEDCL, subject to the liberty granted by this Court, the same does not constitute a cause of action for contempt but, at best, may furnish to the petitioner, if the petitioner is otherwise so entitled and has *locus standi* to challenge such fresh connection, to prefer such challenge before the appropriate court/forum.

9. Thus, this Court does not find any contumacious act on the part of the alleged contemnors.

10. In view of the above, CPAN 1112 of 2023 is dismissed without any order as to costs, in the light of the above observations.

(Sabyasachi Bhattacharyya, J.)