

D/L.13.
April 02, 2026.
KAUSHIK

WPA No. 25172 of 2025

Siraj Mondal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Mujibar Ali Naskar
Md. Habibur Rahaman
... for the petitioners

Mr. Debanjan Mukherjee
... for the WBSEDCL

Mr. Mukteswar Maity
Ms. Manika Sarkar
... for the respondent nos. 8 & 9

Mr. Himadri Sekhar Chakraborty
Ms. Saira Banu
... for the State

The grievance of the petitioner is directed against unlawful installation of an electric pole on the land belonging to the petitioner.

It is submitted on behalf of the petitioner that the private respondents have unauthorisedly taken an electricity connection from an electric pole, which has been wrongfully installed at the premises of the petitioner.

It is also submitted on behalf of the petitioner that suppressing the true facts of the case, the private respondent filed the writ petition being WPA 16550 of 2025 (Unus Ali Mondal & Anr. Vs. West Bengal State Electricity Distribution Company Limited & ors.) wherein by an order dated 30th July, 2025, a Coordinate Bench has

directed the WBSEDCL to effect electricity connection at the premises of the private respondent. This order was obtained by suppressing the true and correct facts of the case and without impleading the petitioner.

Be that as it may, in view of the Report filed by WBSEDCL and the conflicting claims pertaining to the common passage, WPA 25172 of 2025 stands disposed of by directing the concerned District Magistrate having jurisdiction to adjudicate upon the question of whether the electricity pole has been installed in the private passage of the petitioner or not.

It is made clear that there has been no adjudication on the merits of the case and all issues are left open for the concerned District Magistrate to decide in accordance with law after hearing all the parties including the private respondent and WBSEDCL.

The above exercise is to be completed preferably within a period of 12 weeks from the date of communication of this order.

(Ravi Krishan Kapur, J.)