23rd November,
2026
(AK)
04

**WPA 28273 of 2025**

Madhusudhan Karmakar and another
Vs.
The State of West Bengal and others

Mr. Gobinda Chandra Baidya
...for the petitioners.

Mr. Debanjan Mukherjee
Ms. Maitreyee Das
...for the WBSEDCL.

Mr. Mir Aniruzzaman
...for the Rajpur Sonarpur Municipality.

1. Learned counsel appearing for WBSEDCL files report in the form of affidavit in terms of the earlier order passed by this court.

2. The subject matter of dispute is that according to the petitioners, an electric post has been placed in a plot of land where a dispute is pending with the petitioners and a Club being the private respondent no.10 in the writ petition.

3. A civil suit being T.S. No. 109 of 2005 is also pending before the competent Civil Court.

4. The learned Civil Court has passed an order of injunction dated March 9, 2006 by directing the plaintiffs and the defendant nos.1 to 7 in the suit to maintain status quo in respect of nature, character and possession of the suit property as on that date till the disposal of the suit.

5. It is submitted that the said injunction order is still subsisting.

6. Learned counsel for the petitioners submits that although the injunction order binds the parties to the suit, the electric post has been installed by the Municipal Authorities of Rajpur Sonarpur Municipality at the behest of the respondent no.10.

7. The Municipality, in its report in the form of affidavit, has stated that the said electric post has been installed being a part of a scheme of the State Government and the District Magistrate is the appropriate authority who has executed the said scheme.

8. The WBSEDCL, in the report in the form of affidavit, has stated that although the WBSEDCL has given a connection to the respondent no.10-Club long back, the arrangements of supplying electricity in the electric post in dispute has not been done by them and it is being supplied from dedicated street phase of the Municipality.

9. Report further discloses that the electric post has also not been placed by the WBSEDCL in the disputed land.

10. In the circumstances, the respondent no.2 is directed to place the electric post outside the disputed land in order to avoid all complications, within a period of twelve weeks from the date of communication of this order.

11. The petitioners and the private respondent no.10 shall assist the respondent no.2 in re-locating the electric post outside the disputed land so that the object and purpose of the scheme under which the electric post has been placed is not disturbed in any manner whatsoever.

12. With these directions, WPA 28273 of 2025 is disposed of.

13. There will be no order as to costs.

14. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

**(Sandip Kumar De, J.)**