

07. 05.05.2026.
Court No.07.
(Pritam)

WPA 10307 of 2026.

Asim Maity.
-Vs.-
WBSEDCL & Ors.

Mr. Sudip Sarkar,
Mr. Anindya Sundar Das,
Ms. Paramita Mandal,
Ms. Sneha Maity,
Ms. Shabnam Yeasmin.

...for the petitioner.

Mr. Kanak Kiran Bandyopadhyay.

.....for the WBSEDCL.

The grievance of the petitioner is directed against non-payment of compensation in respect of alleged electrocution in 2013.

It is submitted on behalf of the petitioner that despite having filed a representation dated 30th September, 2023, the WBSEDCL has not taken any steps in the matter.

On behalf of the WBSEDCL, it is submitted that there is gross and inordinate delay in the filing of this writ petition and the same is liable to be dismissed.

The facts of the case reveal that the petitioner's father, while going to work, was allegedly electrocuted on 22nd September, 2013. Thereafter, he was taken to the hospital where he was declared dead. The first representation made on behalf of the petitioner was only

on 30th September, 2023. In such circumstances, the petitioner seeks compensation under section 161 of the Electricity Act.

On behalf of the respondents, it is submitted that there is gross, inordinate and unexplained delay on the part of the petitioner and the writ petition is liable to be dismissed on that ground alone.

It is well settled that if a petitioner wants to invoke jurisdiction of the Writ Court, he should come to the Court at the earliest possible opportunity. Inordinate delay in the filing of a writ petition is a good ground for refusing to exercise such discretionary jurisdiction. The underlying object being not to encourage agitation of stale claims (*Tridip Kumar Dingal v. State of W.B.*, (2009) 1 SCC 768 and *Chennai Metropolitan Water Supply & Sewerage Board v. T.T. Murali Babu* (2014) 4 SCC 108).

The first letter of request for compensation was made only after a period of 10 years, i.e., on 30th September, 2023. The writ petition was filed in 2026. There is no explanation nor justification as to what the petitioner was doing for more than a decade. In such circumstances, there has been gross and unexplained delay in the filing of this petition. In such circumstances, on this ground alone the petitioner is disentitled to any relief.

In view of the above, WPA 10307 of 2026 is dismissed. However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Ravi Krishan Kapur, J.)