

**2409
2025**

WEDNESDAY

Court : MB-07
Item : AD-01
Status : OP
ID : 266057
AR : NANDY

**WPA 15487 OF 2024
CAN 1 OF 2025**

WBSEDCL & ANR.
VS.
UNION OF INDIA & ANR.

**MR.KISHORE DATTA, LD. ADVOCATE GENERAL
MR. CHAYAN GUPTA, ADVOCATE
MR. DEBAYAN SEN, ADVOCATE
MR. NIKET OJHA, ADVOCATE**

.....for the Petitioners

**MR. DHIRAJ TRIVEDI, LD. DSGI
MS. DEBAPRIYA GUPTA, ADVOCATE
MR. ANJAN SENGUPTA, ADVOCATE**

.....for the Union of India

CAN 1 OF 2025

1. Mr. Dutta, learned Advocate General appearing on behalf of the writ petitioners/applicants, submits that the core issue in the present writ petition is whether the writ petitioners/applicants can be considered as "designated consumers" under the provisions of the Energy Conservation Act, 2001.
2. He submits that the respondents have fixed a uniform target for all designated consumers to utilize renewable energy, and non-fulfilment of such target may attract imposition of substantial penalties. He further submits that the target has been fixed without taking into account the specific factors specific to the State of West Bengal.
3. According to him, the same target cannot be applied uniformly across all the State, and it is practically impossible for the writ petitioners/applicants to meet the target as presently fixed. Nevertheless, failure to achieve the target would result in the imposition of a heavy penalty by the respondents.
4. He, therefore, prays for an interim order, at least for a limited period, that unless the issues raised in this writ petition are addressed and/or resolved, the respondents may be restrained from imposing any penalty, or any further penalty, upon the writ petitioners/applicants. And further prays that the writ petition be listed for final hearing on any date after the ensuing Puja Vacation.
5. Mr. Sengupta, learned Advocate appearing for the Union of India, prays for a short accommodation on behalf of Mr. Trivedi, learned Deputy Solicitor General of India.
6. In view thereof, place the mater for further consideration at

the top of the list tomorrow i.e. **25.09.2025**.

(PARTHA SARATHI CHATTERJEE, J.)