

S/L 13
07.01.2026
Court. No. 25
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**WPA 15487 of 2024
With
CAN 1 of 2025
With
CAN 2 of 2026**

**West Bengal State Electricity Distribution
Company Limited & Anr.
Vs.
Union of India & Ors.**

*Mr. Kishore Dutta, Sr. Adv.
Mr. Chayan Gupta
Mr. Debayan Sen
Mr. Niket Ojha*

...for the petitioners.

*Mr. Dhiraj Kumar Trivedi, Ld. DSG
Mr. Sukumar Bhattacharyya
Mr. Sukanta Ghosh*

...for the Union of India.

*Mr. Pratik Dhar, Sr. Adv.
Md. Dilawar Khan
Mr. Soupayan S. Roy
Mr. A. Dixit*

...for the Intervenor.

1. The reply filed by the petitioners in respect of CAN 1 of 2025 is taken on record.
2. The applicant namely, Bureau of Energy Efficiency has filed the present application being CAN 2 of 2026 praying for addition of party as party respondent in the present application on the ground that he is the necessary party for the proper adjudication of the instant writ application.
3. Learned counsel appearing for the petitioners prays for time to file affidavit-in-opposition. Learned counsel for the petitioners submits that the petitioners have filed the present writ application challenging the notification dated October 20, 2023. Subsequent to filing of the present writ application, the authorities have superseded the notification

dated October 20, 2023 by way of another notification dated September 27, 2025 and accordingly, the petitioners pray for taking appropriate steps for amendment in the writ application.

4. Learned counsel for the petitioners further submits that the petitioners are enjoying the interim order which is till January 9, 2026 and praying for extension of interim order.
5. Learned counsel appearing for the respondent no. 1 raised objection for extension of interim order on the ground that the petitioners have initially filed the writ application in the year 2024 till the month of September, 2025 the petitioners have not prayed for any interim order. The affidavit has already been exchanged but all of a sudden just before the vacation, the petitioners have got the interim order due to which the respondent no. 1 is suffering very badly and he submits that interim order cannot be extended.
6. Heard the learned counsel for the respective parties.
7. Liberty is granted to the petitioners to file affidavit-in-opposition in connection with CAN 2 of 2026 within two weeks from date. In the meantime if the petitioner intends to take appropriate steps for amendment of the application, the same can be taken within a period of two weeks from date. As this Court finds that the petitioners are enjoying the interim order and at this stage, it is not proper for this Court not to extend the interim order. Accordingly, for interest of justice, the interim order is extended till January 29, 2026 or until further order whichever is earlier.
8. Let the matter appear on January 29, 2026 under the heading “**Urgent Motion**” within ten matters.

9. In the meantime, the applicant of CAN 2 of 2026 is at liberty to use the reply to the affidavit-in-opposition, if any, filed by the petitioners.

(Krishna Rao, J.)