

**IN THE HIGH COURT AT CALCUTTA**  
[ CIRCUIT BENCH AT PORT BLAIR ]

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**WPA/125/2026**

Shri. P. Arumugam

Vs

The Executive Engineer (HQ) and another

Mr. C.Mano ... for the petitioner

Mr. S.C.Mishra ... for the respondents

March 23, 2026  
[AKB]  
Item No.9

1. Affidavit-of-service filed by the petitioner be kept with the record.
2. Heard the submission of the petitioner.
3. Matter pertains to provide electricity connection to the encroached land of the present petitioner in Survey no 314 area 200 sq.mtr. situated at Resident Bambooflat village, under Ferrargaunge Tehshil, South Andaman.
4. The Online application was submitted by the petitioner to have the electric connection at his dwelling unit on 09.08.2023 which has not been considered by the respondent authorities as a result the petitioners are living without any electricity.
5. The learned advocate appearing on behalf of the petitioner submits that he is an occupier of the above land and under Section 43 of the Electricity Act an occupier is entitled have the electricity in his dwelling unit.
6. Learned advocate representing the authority on the other hand raises objection and submits that the petitioner is already enjoying a separate electricity in respect of the same encroached land. However, it is admitted that no reply has been

given to the petitioner to that extent in respect of his application.

7. Upon due consideration of the submissions advanced and on careful perusal of the materials on records, it is evident that the present matter concern grant of electricity to the petitioner's premises which he claimed to be an encroached an occupied area. The application, having remained pending for an inordinate and unexplained period, reflects a state of complete inaction on the part of the respondent authorities, indicative of manifest arbitrariness and high handedness. Electricity being a basic and essential to the enjoyment of a dignified life cannot be permitted to be with held indefinitely or subjected to inordinate delay.

8. Since an issue has been raised over the entitlement of the connection in the same premises it is necessary that the said application filed by the petitioner on 09.08.2023 to be disposed by giving reasonable reply. It cannot be denied that every applicant has the right to know the fate of his application filed before the concerned officer.

9. Therefore the respondent No 2 is directed to dispose of the application within a period of fortnight from this date after giving an opportunity of hearing to the petitioner by passing a reasoned order or to provide electricity connection if otherwise the petitioner is found eligible immediately.

10. Hence the instant writ petition is disposed of with the above direction.

11. Since no affidavit has been called for the allegations contained in the writ application are deemed to have been not admitted.

12. Parties are directed to act on the serve copy of this order to be downloaded from the official website of this court.

13. Urgent photostat certified copy of this order, if applied for, is to be given to the parties on priority basis on compliance of all legal formalities.

**(Chaitali Chatterjee (Das), J.)**