

10.12.2020
D/L- 12
(PP)

WPA 682 of 2020
Md. Motiar Rahaman Mondal
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Uttiya Ray

....for the petitioner.

Ms. Mitali Bhattacharya

....for W.B.S.E.D.C.L.

The petitioner is enjoying a electricity connection from West Bengal State Electricity Distribution Company Limited (in short, "WBSEDCL") to operate a submersible pump for irrigation purpose. The petitioner says that Monteswar Block, being the concerned block has been declared as semi critical category so far as ground water assessment is concerned. The petitioner further says that WBSEDCL in general has given rampant connection without following the statutory norms, as a result whereof the ground water level in Monteswar Block is likely to be further effected. The petitioner complains of WBSEDCL having granted connection to respondent no.7 (private respondent) without the said respondent complying with the statutory requirements. The petitioner, in particular, refers to non-production of necessary certificate for operating submersible pump installed in a swallow tubewell.

The respondent no.7 remains unrepresented. In my view justice will be sub-served if I direct the Divisional

Manager, Kalna Division, WBSEDCL, being the respondent no.6 to look into the complaint made by the petitioner on 16th August, 2019, being Annexure – “P-5” at pages 19-20 of the writ petition.

The respondent no.6 shall pass an order after hearing the parties and shall immediately communicate the order on the same being passed. The respondent no.6 shall be free to decide on the mode of hearing that is whether in verbal form or through physical appearance, but adherence to the principles of natural justice has to be done. The Divisional Manager shall, within a period of three months from date, pass his/her order.

The nature of the instant order will not take away any right of the respondent no.7 at this stage and as such, the matter can be disposed of even in the absence of the respondent no.7.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Arindam Mukherjee, J.)