

29.09.2020
D/L No.32
Court No.24
s.biswas

WPA 6888 of 2020
With
CAN 1/2020 (Old No. CAN 5967 of 2020)

Tirupati Construction & Anr.
Vs.
The West Bengal State Electricity Distribution
Company Limited & Ors.

(Through Video Conference)

Mr. Bikram Banerjee
... .. for the petitioner
Mr. Arkadeb Biswas
... .. for the proforma respondent
Mr. Partha Chakraborty
... .. for the respondent no.5
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee Thakur
... .. for the State

CAN 5967 of 2020 is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Petitioner seeks electricity connection.

The Electricity Board and the private respondent are represented.

Learned counsel appearing for the Electricity Board submits that the Board is ready and willing to provide electric supply. It is the landlord who is creating obstruction.

Learned counsel appearing for the private respondent submits that a development agreement was entered into. The petitioner is making construction

beyond the development agreement. There is a civil suit pending.

So far as the connection of electricity is concerned, the present petitioner is entitled to electricity. Admittedly, the petitioner is in settled possession. The civil suit pending between the private parties can be no impediment to the right of the petitioners to receive electric supply.

In such circumstances, the Board will provide electricity connection to the petitioner in accordance with law upon the petitioner complying with all the requisite formalities for the same and paying all costs and charges thereof.

Since there are disputes between the private parties and since there is an apprehension of breach of peace, it would be appropriate to direct local police authority to ensure that no breach of peace occurs at the locale when the Board supplies electricity to the petitioner.

WPA 6888 of 2020 is disposed of.

(Debangsu Basak, J.)