

WPA 21540 of 2019

(Via Video Conference)

Ratan Chaiyal
Vs.
The State of West Bengal & Ors.

Mr. Angshuman Chakraborty,
Mr. Shivaji Mitra
.... For the petitioner.

Affidavits of service filed in Court today are taken on record.

It appears from the two affidavits that the respondents have been served.

Despite service, none appears on behalf of the respondents either through video platform or physically.

The matter pertains to electricity connection.

It appears from the writ petition that the writ petitioner was prevented from constructing a meter room. In connection with the construction of the meter room on 23rd March, 2018, the Court of the learned Civil Judge (Senior Division), 1st Court, Hooghly, passed an order in the presence of the private respondent wherefrom it appears that the private respondent had no objection if the petitioner received electricity connection. The petitioner refers to a letter dated 25th July, 2019 by which the

petitioner was informed that the electricity connection at the petitioner's premises cannot be given as materials necessary for the LT infrastructure to provide such connection was not available at the local office of the respondent no.1.

More than a year has elapsed, the petitioner says that till date electricity connection has not been given.

It is now well settled that even a trespasser is entitled to get electricity connection. The petitioner claims to be the owner. Apart from the order of the civil Court any civil dispute with the private respondent cannot stand in the way in granting electricity connection to the petitioner. The respondent no.1 is directed to give electricity connection to the petitioner by providing necessary LT infrastructure as expeditiously as possible, but not beyond 30th November, 2020.

The respondent nos. 1 and 2 shall be entitled to seek police help for effecting electricity connection at the petitioner's premises if they are resisted in any manner.

The respondent no.3 shall provide all necessary assistance if the same is asked and also ensure that there is no breach of peace in the locality in effecting electricity connection at the petitioner's premises.

Needless to mention that the petitioner shall comply with all the necessary formalities and pay all the charges as applicable for getting such connection.

Nothing remains further to be adjudicated in the writ petition and the same is disposed of without any order as to costs.

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

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

(Arindam Mukherjee, J.)