

09.12.2020
D/L- 29
(PP)

WPA 9453 of 2020

Lutfar Rahaman
Vs.
State of West Bengal & Ors.

Md. Younus Mondal
....for the petitioner.

Mr. Mihir Kundu
....for W.B.S.E.D.C.L.

Mr. Surajit Basu
....for the respondent no.8.

The petitioner says that there were certain disputes between the petitioner and the private respondents owing to an illegal construction alleged to have been made by the respondent no.7. Several rounds of litigation concerning such disputes went on before the District Magistrate, North 24-Parganas as also before other courts including this Court. The private respondents, according to the petitioner, by application of force disconnected the supply of electricity at the petitioner's premises given by West Bengal State Electricity Distribution Company Limited (In short, "WBSEDCL").

The respondent no.8 (one of the private respondents) is represented. Others remain unrepresented. Respondent no.8 denies the allegation of having disconnected the electric supply to the

petitioner's premises. Respondent no.8 further submits that he has no objection if the petitioner's electric supply is reinstated.

WBSEDCL submits that pursuant to the petitioner's request for reconnection, the officials of WBSEDCL attempted reinstatement of connection, but were resisted by the private respondents. WBSEDCL further submits that unless police help is given, it is impossible for them to reinstate supply at the petitioner's premises.

Considering the fact that WBSEDCL has not disconnected the supply and that there is no dispute in connection with the supply between the petitioner and WBSEDCL, the petitioner's supply is required to be reinstated. The private respondents, in view of any dispute with the petitioner, cannot prevent the petitioner from enjoying electricity.

In the facts and circumstances as aforesaid, the officer-in-charge, Deganga Police Station (respondent no.6) is directed to render police help to the officials of WBSEDCL for reinstating the electric connection at the petitioner's premises subject to the petitioner bearing the police assistance cost. The officer-in-charge, Deganga Police Station shall, within 7 days from date, inform the petitioner the cost of police help and the petitioner shall deposit the same within 3 days from the date of intimation.

The officials of WBSEDCL shall render all cooperation and provide necessary facts and figures to the officer-in-charge, Deganga Police Station for assessing the police assistance cost. In the event the petitioner deposits such police assistance cost and informs the same to WBSEDCL, the officials of WBSEDCL shall be present at the petitioner's site with necessary tools and tackles, materials and documents for reinstating the connection on 21st December, 2020 at 12.30 p.m. and the officer-in-charge, Deganga Police Station shall render all help by deploying requisite number of police personnel to assist WBSEDCL to reinstate the supply of petitioner's electricity at his premises.

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.)