

08.01.2021
Sl.No.14
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2726 of 2020

Sk. Asgar Ali
Vs.
West Bengal State Electricity Distribution
Company Limited & Ors.

Ms. Srimoyee Mukherjee

....for the petitioner.

Mr. C. R. Panda,
Mr. S. Roy

....for WBSEDCL.

Affidavit of service filed in Court today be taken on record.

The petitioner is enjoying electricity supply from West Bengal State Electricity Distribution Company Limited (in short WBSEDCL) to operate a submersible pump for agricultural purpose at the petitioner's plot, being Plot No.273, J.L. No.125, Mouza – Baburimari, P. S. – Goghat, District – Hooghly (hereinafter referred to as the plot of land). The petitioner says that the respondent nos.3 and 4 are adjacent plot owners and have also applied for electricity connection to operate submersible pump for agricultural purpose at their respective plots of land. The petitioner apprehends that operation of submersible pump in close proximity to the petitioner's submersible pump may cause detriment to the water level and causing difficulty to the petitioner in getting water for agricultural purpose.

The petitioner has, therefore, objected to the electricity connection being given to the respondent nos.3 and 4.

Electricity connection to operate a submersible pump is granted after certain statutory compliances, one of which is the certificate issued by the Magistrate in respect of certain classified blocks.

In the event the respondent nos.3 and 4 intend to take electric connection to operate respective submersible pumps, they have to produce the certificate from the Magistrate permitting them to operate the submersible pump. Unless such certificate is provided, WBSEDCL, the licensee will not grant any connection to the respondent nos.3 and 4.

The petitioner's apprehension expressed in the writ petition is premature.

In the facts and circumstances as aforesaid, no order as prayed for by the petitioner can be passed in this application. The same is accordingly disposed of.

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.)