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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3030 of 2020

Ananda Roy Chowdhury.
Vs.

West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Shyamal Chakraborty,
Mr. Debasis Mitra
... For the petitioner.

Mr. Manisankar Chattopadhyay
... For WBSEDCL.

Mr. Jayanta Das,
Ms. Soumita Ghosh
... For the respondent no.4.

Pursuant to the order dated 25th January, 2021, West Bengal State Electricity Distribution Company Limited (in short, WBSEDCL) has inspected the locale and informed the Court that electricity connection can be given either through the 3 feet wide passage on the southern side or through the 8 feet passage on the northern side of the petitioner's property. So far as the connection through the 8 feet passage is concerned, WBSEDCL says that the petitioner has to construct a new meter room on that side of his premises for getting the connection thereat. So far as the 3 feet passage is concerned, no new meter room is required to be constructed as the connection will be given at the existing meter room.

Since the respondent no.4 (private respondent), being the brother of the petitioner is objecting to the connection being given through the 3 feet wide passage and has no objection if the same is given through the 8 feet wide passage, the dispute between the two brothers so far as the petitioner's getting an electric connection can be resolved by directing WBSEDCL to give connection to the petitioner through the 8 feet wide passage. The petitioner shall make necessary arrangement for installation of the meter at a new place in his premises to get the electric connection through 8 feet wide passage. WBSEDCL shall within 5 working days from the petitioner's informing WBSEDCL to have made necessary arrangement for affixing the meter in a new position for getting the connection through 8 feet wide passage, WBSEDCL shall raise a quotation. The quotation will, however, not include the cost of the pole that may be required to be affixed on the 8 feet passage as WBSEDCL proposes to do so at its own cost. WBSEDCL shall within 3 weeks from the date of the petitioner paying the quotation money in terms of the quotation that may be raised by WBSEDCL and subject to compliance with other formalities shall give connection to the petitioner.

It is expected that the private respondent shall co-operate with the petitioner and the officials

of WBSEDCL at the time of inspection and execution of work by WBSEDCL to give connection to the petitioner. The respondent no.3 shall ensure that there is no breach of peace in and around the petitioner's premises at the time of inspection and execution of work by WBSEDCL. The petitioner and WBSEDCL shall in advance inform the date and tentative time of visit of the officials of WBSEDCL.

Nothing further remains to be adjudicated in the writ petition and the same is accordingly 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 respondents.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)