

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3127 of 2020

Smt. Mamoni Bhunia
Vs.
The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Saibal Acharya
Mr. Pradip Paul
... For the petitioners

Ms. Bandana Basu
... For WBSEDCL

Ms. Anandamayi Ghosh
Mr. Debasis Ghosh
... For the respondent no.5

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

The petitioner is seeking restraint order against the
respondent no.5 (private respondent) from getting an
electric connection to operate a submersible pump in a plot
of land now said to be owned and occupied by the
petitioner. The petitioner says that by a Deed of Exchange,
the petitioner and the private respondent exchanged two
decimals of land. The petitioner, in exchange, has given the
private respondent a valid plot of land whereas in exchange
has received a plot of land which stood vested prior to the
exchange. The private respondent did neither disclose the
vesting nor had the record of right corrected. The

petitioner, therefor, is unable to use and enjoy the plot allotted to the petitioner on exchange.

The private respondent, however, denies the submission made by the petitioner.

On behalf of the petitioner, it is submitted that the writ petition was filed in the contemplation that the petitioner's further redressal of grievance in an appropriate proceeding may be jeopardised in the event an electric connection is given to the private respondent for operating the submersible pump in the plot received by the private respondent in exchange. The petitioner, however, now intends to withdraw the writ petition on being so advised.

The writ petition is dismissed as withdrawn without any order as to costs.

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

(Arindam Mukherjee, J.)