

AD. 26.
December 20, 2021.
MNS.

(Through Video Conference)

WPA No. 4862 of 2020

Birendranath Mandal
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Mr. Pampa Dey Dhabal

... for the petitioner.

Mr. Ram Mohan Chattopadhyay

...for the WBSEDCL.

Affidavit-of-service filed in Court today be kept on record.

Despite service, none appears for the private respondents, although the petitioner and the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') are represented through counsel.

Learned counsel for the petitioner submits that the petitioner seeks removal of the electric connection given by the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') to the private respondents nos. 6 to 9 in view of the objections specifically raised by the petitioner.

Learned counsel for the WBSEDCL submits that, in terms of the relevant Rules of 2006, the petitioner is to approach the concerned District Magistrate for resolving such dispute. That apart, learned counsel submits that

the electric connection was given for a public purpose, in order to facilitate supply of electricity in the locality.

Be that as it may, it is beyond the charter of the writ court to adjudicate such question on facts.

As such, WPA 4862 of 2020 is disposed of by granting liberty to the petitioner to approach the District Magistrate with the grievance as raised in the present writ petition. If so approached, the District Magistrate shall decide the same in accordance with law upon giving appropriate hearing to all interested parties, preferably within four weeks from the date of reference.

The District Magistrate, while so deciding, shall not be prejudiced in any manner by any of the observations made herein.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)