

171 03.08.2021
rkd Ct.08

W.P.A. 9493 of 2021

Soma Karmakar

-vs-

The State of West Bengal & Ors.

Mr. Sabyasachi Mondal,
Mr. Sayan Mukherjee

....for the petitioner.

Mr. Mrinal Kanti Sardar,
Mr. Gazi Faruk Hossion

...for the private respondent nos.5 & 6.

Mr. Mihir Kundu

...for the W.B.S.E.D.C.L.

The petitioner seeks electricity connection.

The Distribution Company and the private respondents are represented.

Learned advocate for the private respondents, relying upon a diagram, submits that there is an alternative way through which, electricity can be supplied to the petitioner.

The petitioner in settled possession, is entitled to electricity supply. The distribution company is ready and willing to provide electricity to the petitioner. According to the distribution company, the private respondents obstructed electricity supply to be given to the petitioner.

It is claimed on behalf of the private respondents that there exists an alternative route through which, electricity supply can be provided

to the petitioner. In support of such contention, the private respondents relied upon a diagram. The so-called alternative way is shown in a pencil drawing on the diagram relied upon by the private respondents. The pencil drawing on the diagram shows that the electricity line will go over a plot of land belonging to the vender of the petitioner. The electricity line which is now proposed to be given by the distribution company goes through a road which the private respondents claim to be a private road. The distribution company is ready and willing to provide electricity through the so-called private road of the private respondents.

It is claimed on behalf of the private respondents that the road is 3 ft. wide.

Such width of the road, however, is not an impediment to the technical feasibility of the electricity supply to be provided through it.

In such circumstances, the distribution company will proceed to provide electricity supply to the petitioner in accordance with law. No doubt, the petitioner will comply with all formalities for obtaining new electricity connection and pay all costs, charges and expenses thereof. In the event, the distribution company faces any obstruction or resistance from any quarter in supplying electricity

to the petitioner, distribution company is at liberty to approach to the local police station for police assistance. If the distribution company approaches the police authorities, they are directed to provide adequate police protection to the distribution company to give effect to this order and provide electricity supply to the petitioner.

It is clarified that this order will not create any new right, title and interest and/or any equity in favour of the petitioner over any land other than what the petitioner already enjoys.

It is further clarified that this order will not prejudice any of the parties in the pending civil suit.

It is expected that the electricity supply is effected within four weeks from the date of compliance of all formalities and payments of all costs.

Accordingly, W.P.A. 9493 of 2021 is disposed of.

(Debangsu Basak, J.)