

AD. 14.
November 10, 2021.
MNS.

(Through Video Conference)

WPA No. 12489 of 2021

S.K.R. Enterprise and another
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Mr. Debabrata Ray

... for the petitioners.

Ms. Mitali Bhattacharya

...for the WBSEDCL.

Mr. Gausul Alam,
Ms. Saira Banu

...for the State.

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

Heard counsel appearing for the respective
parties.

The limited grievance of the petitioners is that,
despite having applied long back for extension of
electricity load due to installation of new machinery to
facilitate their ball-point pen manufacturing business, the
West Bengal State Electricity Distribution Company
Limited (in short 'WBSEDCL') has been sitting tight over
the matter.

Learned counsel appearing for the respondent
nos. 1 to 5 contends that, in the absence of a proper
'way leave' from the neighbourhood people, such

connection cannot be given, since the same requires installation of a new transformer.

Learned counsel appearing for the respondent nos. 6 and 7 submits that, in principle, they have no objection to such connection being given and/or transformer being installed for extending the electricity load at the petitioners' premises in accordance with law.

It appears from Annexure- P4 at page- 25 of the writ petition that the petitioners have already submitted a letter of consent regarding the installation of such transformer as per the request of the petitioners. Although there may be certain technical issues insofar as the said 'no objection' is not in proper form, keeping in mind that the petitioners run a small enterprise, that too, in a rural area, such technicality ought not to be a hindrance in giving the leave for extension of load as prayed for by the petitioners.

However, there is a further objection raised by the respondent nos. 1 to 5 regarding the same people of the neighbourhood, who allegedly gave consent, putting up a resistance to such installation of a new transformer.

In the event of any objection being raised, it is the duty of the licensee to approach the District Magistrate under the Works of Licensees Rules, 2006. The petitioners cannot be faulted for the failure to so approach on the part of the respondent-authorities.

As such, to cut short unnecessary red-tapism in directing the respondent-authorities to refer the matter to

the District Magistrate, WPA No. 12489 of 2021 is disposed of by directing the respondent no. 7, that is, the District Magistrate, South 24 Parganas, to look into the issue upon giving a hearing to the petitioners, respondent nos. 1 to 5 as well as the concerned persons, if any, raising objection to the installation of such transformer as expeditiously as possible, preferably within one month from this date.

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.)