

09.09.2021.
Item No.104.
Court No.13
ap

**W.P.A. No. 12797 of 2021
(Through Video Conference)**

**Anuvrat Pabrai
Versus
West Bengal State Electricity Distribution
Company Limited & Ors.**

Mr. Kumarjit Banerjee,
Ms. Sanchari Chakraborty,
Mr. Soumik Chakraborty,
Mr. Sorojit Dasgupta.

..For the petitioner.

Mr. Sujit Sankar Koley.

...For the licensee.

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

The writ petitioner is aggrieved by the fact that
despite having paid or complied with the requisitions
in the quotation dated 5th January, 2021, the licensee
has not provided a new electricity connection.

It is submitted that the licensee ought to have
communicated to the writ petitioner, if there was any
objection. It is further submitted that in absence of
such objection, the writ petitioner is entitled to
electricity connection in terms of the provisions of the
Electricity Act, 2003 and the Rules framed thereunder.

Counsel for the WBSEDCL, Mr. Koley, submits
that there is reasonable suspicion that the licensee
has, as regards the bona fide of the petitioner's
application. An inspection conducted on the said
premises has reflected that firstly there was already an
existing electricity connection at the said premises that

has outstanding dues to the extent of Rs.5.5 lakhs. It is further submitted that the earlier occupier of the said premises was one Tulika's Ice cream Pvt. Ltd.

The licensee suspects that a fresh licence has been applied by the petitioner as a proxy for the previous occupier and there is reasonable basis for the same.

In that view of the matter, the licensee shall furnish reasons in writing to the writ petitioner as to the reservation that they in allowing a new electricity connection.

The aforesaid order shall not prevent the writ petitioner from, paying of the dues of the previous meter at the said premises, if so advised.

It is expected that the licensee shall furnish reasons for delay or refusal in granting new electricity connection to the writ petitioner within ten days from date.

It is made clear that this Court has not, in any way, entered or decided upon the rival contentions of the parties.

Since the respondents have not used any affidavit, the allegations made in this writ petition shall not be deemed to have been admitted by them.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)