

30th November,
2021
(AK)
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W.P.A 17647 of 2021

Durga Mondal
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Mahim Sasmal
Md. Hasanuz Zaman

...for the petitioner.

Mr. Rammohan Chattopadhyay
...for W.B.S.E.D.C.L.

The petitioner's grievance is limited to the extent that, despite being otherwise entitled to new electric connection, the petitioner is not being given such connection by the distribution company due to the resistance created by the private respondent no.5 and others.

Learned counsel for the distribution company corroborates such view and submits, as per instruction, that when the officials of the distribution company went to the premises for the purpose of giving connection, an objection was raised by the private respondent no.5 and others regarding the passage-in-question belonging allegedly to the private respondent and not the petitioner. As such, no connection could be given.

Since, despite several attempts to serve, the private respondent has not responded by being represented in

court and in view of the affidavit-of-service filed today clearly disclosing that the last communication was received by the private respondent, there is no other option but to deem that the private respondent is deliberately avoiding the hearing of this matter despite having knowledge about the same.

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

In view of the above scenario, it would only be proper that the petitioner is given a new electric connection, subject to compliance of all formalities on the petitioner's part, by the distribution company.

Accordingly, WPA 17647 of 2021 is disposed of by directing the respondent nos.1 to 3 to ensure that electric connection is given to the petitioner, subject to compliance of all formalities by the petitioner, at the earliest, preferably within a fortnight from date.

In the event the officials of the distribution company are resisted by respondent no.5 and/or others, it will be open to the said officials to approach respondent no.4, being the Inspector-in-Charge, Mograhat Police Station.

In the event of such an approach, the respondent no.4/Inspector-in-Charge shall immediately grant adequate police assistance, at the cost of the petitioner, to the officials of the WBSEDCL for the purpose of giving

electric connection and/or holding inspection in that regard as per the application of the petitioner.

The parties and all else concerned shall act on the written communication of the learned advocates, accompanied by a server copy of this order, without insisting upon prior production of a certified copy.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)