

06
29.11.2021
TN

WPA No.18719 of 2021

Bishmadeb Khatua
Vs.
The Chairman, West Bengal State Electricity
Distribution Company Limited and others

Mr. Syed Masihar Rahaman
.....for the petitioner

Mr. Debjit Mukherjee
.....for the WBSEDCL

Mr. Souri Ghosal,
Mr. Prasayan Mukherjee
.....for the private respondent

Learned counsel for the petitioner contends that, despite having given electric connection to the petitioner's plot of land upon compliance of due formalities by the petitioner, the said connection was severed after a few days.

Learned counsel further contends that such disconnection was without any prior notice or information to the petitioner.

Learned counsel appearing for the Distribution Company submits that, after giving the connection, it was discovered that an objection had been given

previously by the private respondent. It is further submitted by learned counsel for the Distribution Company that the Way Leave document filed by the petitioner for getting his connection was in respect of some plot number other than the petitioner's plot, as such, disentitling the petitioner from getting the electric connection.

Be that as it may, since the connection was given to the petitioner, good, bad or indifferent, it was for the Distribution Company to consider the objection of the private respondent prior to giving such electric connection. Once the connection was given, the same ought not to have been severed without prior notice or intimation to the petitioner, *de hors* the law.

Accordingly, WPA No.18719 of 2021 is disposed of by directing the respondent no.3 to restore the electric connection of the petitioner immediately, latest by December 1, 2021.

After such reconnection, the respondent no.3 shall reconsider the objection of the private respondent and the alleged discrepancy in the Way Leave certificate given by the petitioner and, upon giving adequate hearing to the petitioner as well as the private respondent, decide on the legality of the petitioner's connection and take steps accordingly

after intimating the petitioner and the private respondent.

The reconsideration, as directed above, shall be completed in accordance with law, upon giving due hearing to the petitioner and the private respondent, within four weeks hence.

(Sabyasachi Bhattacharyya, J.)