

25.02.2021
Sl. No.1
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
WPA 22801 of 2019

Rampada Santra
Vs.
West Bengal State Electricity Distribution
Company Limited & ors.

Mr. Sk. Abu Abbasuddin,
Mr. Nahid Rahman

....for the petitioner.

Mr. Srijan Nayak,
Ms. Rituparna Maitra

....for WBSEDCL.

Mr. Surendra Kumar Sharma

....for the respondent nos.4-6.

After considering the report dated 1st February, 2021, filed by West Bengal State Electricity Distribution Company Limited (in short WBSEDCL), which is taken on record, it appears that electricity connection to the petitioner from the existing pole can be given by erecting a pole at a convenient place at the panchayat road without disturbing the free ingress and egress through the common passage. The common passage originates from the panchayat road and is used for the purpose of ingress and egress of several properties including the one presently under the possession of the petitioner. The other alternative is by drawing underground cable from the existing pole through the panchayat road and then through the common passage. In order to draw underground cable as submitted by WBSEDCL, the concrete panchayat road as also the concrete common passage has to be excavated. To excavate the panchayat road, permission is necessary from the panchayat. So far as excavating the common passage, way leave is necessary from the neighbours of the petitioner, who use the common passage for entry and exit to their

respective premises. It is also pointed out that the cost for providing electric connection to the petitioner through underground cable will be much more than that of done by drawing overhead line.

Considering the report and fact that the petitioner, being in settled possession and is entitled to an electric connection at the premises in question, WBSEDCL is directed to erect a pole and give connection to the petitioner by drawing overhead line. The location of the pole should be such that no inconvenience is caused to any one so far as free ingress and egress to their respective premises is concerned.

WBSEDCL shall raise fresh quotation on the petitioner towards the cost and expenses that the petitioner has to bear for getting electric connection by drawing overhead line. The said quotation has to be raised by 5th March, 2021.

The petitioner shall pay the money as per the fresh quotation within ten days from the receipt of the same after adjusting the money already paid to WBSEDCL.

Subject to the petitioner paying the costs and expenses in terms of the quotation and complying with other formalities, WBSEDCL shall, within a period of three weeks from the date of payment by the petitioner in terms of the fresh quotation, give connection to the petitioner.

It is expected that the respondent nos.4-6 (private respondents) shall co-operate with the petitioner and the officials of WBSEDCL for the purpose of execution of work and giving connection to the petitioner.

The respondent no.3, being the officer-in-charge, Chanditala Police Station, Hooghly shall ensure that there is no breach of peace at the time of execution of work by the officials of WBSEDCL for the purpose of giving connection to the petitioner.

The petitioner and WBSEDCL shall well in advance inform the respondent no.3 about the date and tentative time of execution of the work by WBSEDCL for the purpose of giving connection to the petitioner so that the said respondent can take necessary steps as directed.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)