

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 7732 of 2020

**Abdul Rahaman
Vs.
The West Bengal State Electricity
Distribution Company Limited & Ors.**

Mr. Arunava Ganguly,
Mr. Sani Hossain
... for the petitioner

Mr. Sumit Ray
...for the respondent-authorities

Mr. Gazi Faruque Hossain,
Ms. Priyanka Mondal
...for the respondent nos. 4 to 8

The grievance of the petitioner is that, due to resistance being created by the private respondents, the Distribution Company is not being able to give new electric connection to the petitioner's premises.

Learned counsel for the WBSEDCL contends that it will create less interference on the land of others, in the event the connection is given over the land of the private respondents through one existing pole than from the other alternative pole in the area.

Learned counsel for the private respondents contends that the private respondents have serious objection to the connection being given to the petitioner over the land of the private respondents and refers to Regulation 3.2.1 of the West Bengal Electricity

Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) Regulations, 2010 to submit that, as per such regulation, the matter has to be referred to the competent District Magistrate by the Distribution licensee.

In such view of the matter, W.P.A. No. 7732 of 2020 is disposed of by directing the WBSEDCL to refer the dispute raised by the private respondents, in giving connection to the premises of the writ petitioner, to the competent District Magistrate within a fortnight from date.

It will be open to the District Magistrate to decide on such reference in accordance with law.

It is made clear that the respective rights and contentions of the private parties have not been gone into by this Court.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)