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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9413 of 2020

Sekh Jisarat @ Sekh Jisarat Ali
Vs.

West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Pappu Adhikari,
Ms. Cardina Roy
... For the petitioner.

Mr. Kanak Kiran Bandopadhyay
... For WBSEDCL.

Mr. Murali Monohar Gupta,
Dr. R. K. Sahu
... For the respondent no.6

Mr. Tapas Kumar Adhikari,
Mr. Jaladhi Das
... For the State.

In terms of the order dated 4th January, 2021, an inspection has been conducted by the concerned Assistant Engineer & Station Manager, West Bengal State Electricity Distribution Company Limited (in short, WBSEDCL).

On behalf of WBSEDCL, it is submitted that there is no alternative way in giving the connection to the petitioner. It is also submitted that drawing of electric line to the petitioner's premises will in no manner amount to drawing of electric wire over the tile-shaded structure of the private respondent. The objection of the private respondent

that the line will be drawn from the pole over the tile-shaded structure of the private respondent, according to the petitioner and the WBSEDCL, is therefor, an incorrect assertion. The sketch map and photographs placed before this Court are taken on record. It appears from the photographs and the sketch map that the existing pole is on the Panchayat road. Connection from there will enter into common passage. The first plot between the petitioner's plot and the electric pole is a vacant plot and a portion of it is pond and no structure is thereat. The next plot is that of the petitioner and, as such, it is clear that the electric line from the pole to the meter room constructed by the petitioner on his plot of land will not travel over the tile-shaded structure of the private respondent.

In the facts and circumstances as aforesaid, the objection raised by the private respondent is not sustainable. The petitioner is entitled to get electric supply at his plot of land in the manner as proposed by WBSEDCL, subject to the petitioner paying all costs and expenses, if not already paid and other requisite formalities.

The WBSEDCL, shall give connection to the petitioner within 10 clear working days from date or from the date of payment by the petitioner whichever is later. It is expected that the private respondent

shall render all co-operation to the officials of WBSEDCL while drawing the line from the existing pole to the petitioner's premises.

The respondent no.5, being the Officer-in-Charge, Amta Police Station, Howrah, is directed to ensure that there is no breach of peace in the locale at the time when the officials of WBSEDCL, make a visit to the petitioner's premises and execute the work for giving the new connection to the petitioner.

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

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

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

(Arindam Mukherjee, J.)