

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 10595 of 2020**

Rupsana Bibi  
Vs.  
The West Bengal State Electricity  
Distribution Company Limited & Ors.

Mr. Siddhartha Sarkar  
Mr. Hirak Ray  
... For the petitioner

Mr. Abhishek Prasad  
... For WBSEDCL

Mr. Kajal Ray  
Mr. Aditya Sen  
... For the respondent nos.5 to 8

Affidavit of service filed in Court today is taken on record.

The petitioner has filed a writ petition for electricity connection. It is the case of the petitioner that despite having applied for connection, the same could not be given by West Bengal State Electricity Distribution Company Limited (hereinafter referred to as "WBSEDCL"), the licensee, due to the objections raised by the respondent nos.5 to 8 (private respondents).

On behalf of the private respondents, it is submitted that two suit are pending between the parties. The plaint of the suit filed by the petitioner, being Title Suit No.219 of 2018, now pending before the Court of the learned Civil Judge (Senior Division), 2<sup>nd</sup> Court, Paschim

Midnapore, has been made over to this court. Information slip regarding another suit filed by the private respondents has also been made over to this Court. These two documents are taken on record.

In the writ petition, there is no averment as to filing of the suit by the petitioner or that by the private respondents. Assuming without admitting that the petitioner is not aware of the suit filed by the private respondents on having not been served with the summon, the petitioner is aware of the suit having been filed by her. The petitioner therefor has suppressed the facts which are material for adjudication of the matter.

The petitioner is not entitled to any order in this writ petition on the ground of suppression of material facts. The writ petition is dismissed without any order as to costs.

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

**(Arindam Mukherjee, J.)**