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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11684 of 2020

Kamal Hasan
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Ziaul Haque,
Mr. Sk. Saifuddin
... For the petitioner.

Mr. Mihir Kundu
... For WBSEDCL.

The petitioner alleges that the respondent no.8 (private respondent) is seeking an electric connection to operate a submersible pump within 200 metres from the submersible pump of the petitioner, which is already in existence. The petitioner says that the concerned block is semi critical block wherein no submersible pump can be intalled within 200 metres from another existing submersible pump. The petitioner therefor says that the respondent nos. 3, 4 and 5 be restrained from giving the connection to the private respondent.

The electric connection for operating a submersible pump is given after strict compliance of the statutory formalities. One of such formality is a certificate issued by the concerned District Magistrate for allowing installation of a submersible

pump in the location wherein the electric connection is sought for. West Bengal State Electricity Distribution Company Limited (in short, WBSEDCL), the licensee, according to the petitioner, has not yet given the connection to the private respondent. The connection, if applied for, in view of the statutory formalities will be given by WBSEDCL only after ascertaining that the private respondent has a requisite certificate for installing a submersible pump for being operated with the electric connection to be given by WBSEDCL. The writ petition is, therefore, without any merit.

The writ petition is accordingly dismissed without any order as to costs.

The dismissal of the writ petition will, however, not disentitle the petitioner from seeking appropriate orders if the private respondent receives connection in violation of any statutory formalities.

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.

(Arindam Mukherjee, J.)