

AD. 9.
January 21, 2022.
MNS.

(Through Video Conference)

WPA No. 567 of 2022

Sk. Mansur Ali
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Arunava Ganguly

...for the petitioner.

Mr. Saurav Chaudhuri

...for the WBSEDCL.

Affidavit-of-service filed in Court today be kept on record.

Despite service, none appears on behalf of the private respondents, although the petitioner and The West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') are represented through counsel.

The limited grievance of the petitioner is that, despite the petitioner having filed an application for a new electric connection, the WBSEDCL personnel are being hindered from giving such electric connection due to obstruction put up by the private respondents.

Learned counsel appearing for the WBSEDCL corroborates the allegation of obstruction by the private respondents and further adds that the private respondents have given specific written objections to

such connection being given to the petitioner, on the ground that the property over which the connection is to be given belongs to the private respondents.

In view of the prevalent Regulations, such disputes, if raised specifically, are to be decided by the District Magistrate concerned.

In such view of the matter, WPA No. 567 of 2022 is disposed of by directing the WBSEDCL to refer the dispute raised by the private respondents to the new electric connection being given to the petitioner to the concerned District Magistrate within a fortnight from date. If and when so approached, the District Magistrate shall decide on the objection, as expeditiously as possible, preferably within four weeks from the date of such reference, in accordance with law and upon giving adequate opportunity of hearing to the interested parties.

In the event the dispute is decided in favour of the petitioner, the WBSEDCL shall endeavour, subject to compliance of all formalities by the petitioner, to give the new electric connection to the petitioner as expeditiously as possible, preferably within three weeks from the decision of the District Magistrate.

In the event the personnel of the WBSEDCL face any obstruction despite the District Magistrate holding in favour of the petitioner, if at all, it will be open to the WBSEDCL personnel to approach the police authorities in the locality for adequate police assistance with regard to holding inspection and giving such new electric

connection. If so approached, the Officer-in-Charge of the local Police Station shall provide adequate police assistance for such purpose to the personnel of the WBSEDCL at the cost of the petitioner.

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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)