

09-02-2022
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WPA No. 625 of 2022

Manish Thakur

-Versus-

West Bengal State Electricity Distribution Company
Limited & Ors.

(Via Video Conference)

Mr. Srijib Chakraborty,
Mr. Avirup Mondal,
Mr. Anand Jha

...for the petitioner

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the WBSEDCL

Mr. Rajendra Chaturvedi

...for the Municipality

Despite service, none appears on behalf of the private respondents although the petitioner, the Rishra Municipality and the Distribution Licensee are represented through counsel.

The grievance of the petitioner is that despite the licensee having raised a quotation of around Rs. 5 lakh and the petitioner having paid such amount, the Distribution Licensee is not being able to give new electric connection to the petitioner due to the objection raised by the private respondents.

Learned counsel for the Distribution Licensee corroborates such stand.

Since the private respondents are deliberately avoiding appearing before the Court in

spite of good service on them, there is no option left for the court but to decide the matter ex parte in their absence.

In view of the Distribution Licensee having already given a quotation regarding installation of transformer and giving new electric connection to the petitioner, it can be assumed on the face of it that the Distribution Licensee had an inspection of the locale and found some suitable spot for installing the required transformer.

No written objection was submitted by the private respondents to electric connection being given to the petitioner, to the best of instruction of learned counsel for the Distribution Licensee.

In such view of the matter, there cannot be any impediment in the Distribution Licensee giving such connection to the petitioner with police help, if necessary, since the petitioner has a right to get electric connection under Section 43 of the Electricity Act, 2003.

WPA No. 625 of 2022 is, thus, allowed, thereby directing the West Bengal State Electricity Distribution Company Limited (WBSEDCL) to give electric connection to the petitioner upon installation of necessary equipment, as deemed requisite for giving such connection, at the earliest, preferably within four weeks from date. In the

event any obstruction is created by respondent nos. 4, 5 and 6 and/or their men and agents in such steps being taken by the WBSEDCL, it will be open to the concerned officials of the WBSEDCL to approach respondent no.7, the Officer-in-Charge of the Rishra Police Station, in that regard. If so approached, the respondent no.7 shall act on a server copy of this order and grant adequate police help to the WBSEDCL personnel for implementing this order, at the cost of the petitioner.

It is made clear that in the event any padlock or obstruction is affixed by the private respondents or their men and agents to prevent access of the WBSEDCL personnel to the proposed electric meter board location, it will be open to the police personnel to remove such padlock or other hindrance for the limited purpose of giving access to the WBSEDCL personnel.

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.)