

AD. 26.
February 16, 2022.
MNS.

(Through Video Conference)

WPA No. 671 of 2022

Sambhu Mandal
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Palash Bapari

...for the petitioner.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the WBSEDCL.

Learned counsel for the petitioner argues that the petitioner is suffering adverse impact due to the present location of a heavy-duty transformer near the petitioner's property.

Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL'), pursuant to a previous order of Court, submits a report supported by affidavit, which indicates that, at the only existing alternative route, another heavy transformer is already in operation, which would make it technically impossible to install a new transformer for the purpose of shifting the present one, regarding which the petitioner has a grievance.

It appears from the report that the above contention is borne out by the report itself.

As such, although the petitioner may suffer some inconvenience, since the transformer has already been existing in its present location for a long time and there is no alternative location at present to install a new transformer for the purpose of shifting, WPA 671 of 2022 is disposed of without interfering in the matter.

However, it is made clear that, in the event there is any change of circumstances enabling the petitioner to provide an alternative location for shifting the transformer, it will be open to the petitioner to approach the WBSEDCL afresh and seek shifting of the present transformer afresh.

If such a move is initiated by the petitioner, upon locating a suitable alternative space, it will be open to the WBSEDCL to consider afresh such location for the purpose of shifting the transformer without being unduly influenced in any manner by any of the observations made herein.

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.)