

AD. 32.
June 8, 2022.
MNS.

WPA No. 1114 of 2022

Jakir Hossain Sekh
Vs.
West Bengal State Electricity Distribution
Company Limited and others

Mr. Malay Bhattacharyya,
Ms. S. Mondal,
Ms. Sudipa Senguta

...for the petitioner.

Ms. Sima Sengupta

...for the WBSEDCL.

Mr. Soumik Ganguly

...for the respondent nos. 5 to 7.

Learned counsel for the petitioner submits that, despite best efforts, the petitioner could not locate any alternative route other than over the proposed route, to which the respondent nos. 5 to 7 have objection.

Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) reiterates the contents of a report which has already been filed on a joint inspection and also indicates that there is no alternative route.

Learned counsel appearing for the private respondent nos. 5 to 7 contends that there is no house on the relevant 'dag' number where the

petitioner is seeking electricity connection to be given.

Be that as it may, since the dispute revolves around factual aspects, the writ court is not the appropriate forum for deciding on the said issue.

Accordingly, WPA No. 1114 of 2022 is disposed of by directing the WBSEDCL to refer the dispute raised by the respondent nos. 5 to 7 regarding electricity connection being given to the petitioner before the concerned District Magistrate within a fortnight from date.

It is expected that the District Magistrate shall act upon such reference expeditiously, preferably within six weeks after such reference, and conclude the hearing on the said issue and take a decision on the matter in accordance with law, upon giving adequate opportunity of hearing to all the concerned.

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.)