

2nd February,
2022
(AK)
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W.P.A 1608 of 2022

Kushamoy Ghosh
Vs.
The State of West Bengal and others

(Via Video Conference)

Ms. Bratati Dutta
...for the petitioner.

Mr. Sujit Sankar Koley
...for WBSEDCL.

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

Learned counsel for the petitioner contends that the petitioner is a financially backward cultivator and has sought for a new electric connection from the Distribution Licensee for energizing his submersible pump.

However, the Distribution Licensee, that is, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) has refused to give such connection.

Learned counsel appearing for the Distribution Licensee, on instruction, submits that there was an existing connection in the name of the petitioner's father at the same location. However, due to non-payment of dues, such connection was cut off.

It is submitted that in the event the petitioner seeks to take an electric connection, the petitioner ought to pay up the dues of his father.

It is also submitted that another brother of the petitioner has already cleared a substantial portion of the dues of the father.

Keeping in view the poor financial condition of the petitioner, particularly since the petitioner is a cultivator and an integral part of the economy, WPA 1608 of 2022 is disposed of by directing the WBSUEDCL to reconnect the electric supply to the petitioner's submersible pump, subject to the petitioner complying with all formalities in that regard.

However, it is made clear that since the petitioner has paid the necessary charges for taking such connection, the Distribution Licensee shall give reconnection to the petitioner's pump within a fortnight from date.

However, such reconnection shall be sustained subject to the petitioner paying all remaining dues in respect of the disconnected defaulting meter in the name of the petitioner's father within two months thereafter.

In the event the petitioner fails to pay up such balance dues in respect of the petitioner's father's electric meter, with which the petitioner appears to have a direct nexus, in view of having used electric supply from the same, the Distribution Licensee will be at liberty to

disconnect the electric supply to the meter-in-question again, upon an advance notice of 48 hours to the petitioner.

It is made clear that the respective contentions of the parties on the dues payable with regard to the electric meter, which were allegedly defaulted by the petitioner's father, is not gone into by this court and it will be open to the parties to agitate the quantum of such dues before the appropriate authority.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)