

21st February,
2022
(AK)
02

WPA 2148 of 2022

(Via Video Conference)

Sulekha Saha
Vs.
West Bengal State Electricity Distribution Company Ltd.
and others

Mr. Manas Kumar Das
...for the petitioner.

Mr. Sujit Sankar Koley
...for the WBSEDCL.

Md. Golam Nur Imrohi
Mr. Desapriya Majumder
...for the private respondent nos.5 & 6.

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

Learned counsel for the petitioner submits that the private respondents illegally disconnected the petitioner's electric connection, which the petitioner has been enjoying for about the past forty years.

When the WBSEDCL personnel were approached by the petitioner, it is alleged that the said personnel could not restore such connection due to resistance put up by the private respondents.

Learned counsel appearing for the Distribution Licensee supports such contention and reiterates that the existing system of electric supply had been continuing since the year 1985.

Learned counsel for the private respondents, who are neighbours of the petitioner, submits that the electric connection has been taking over the premises of the private respondent nos.5 and 6 in such a manner that the private respondents will not be able to develop their property in any manner.

Be that as it may, such inconvenience of the private respondents *ipso facto* cannot justify the disconnection of the electric supply of the petitioner as a pressure tactics to compel the petitioner to alter the route of such connection.

However, since the factum of disconnection by the private respondents is disputed by the latter, WPA 2148 of 2022 is disposed of by directing the WBSEDCL to restore the electric connection of the petitioner at the earliest, preferably within a week from date.

In the event any hindrance is created thereto by the private respondent nos.5 and 6 and/or their men and agents, the WBSEDCL personnel will be free to approach the Officer-in-Charge, Burwan Police Station (respondent no.4), who will grant adequate police assistance to the WBSEDCL personnel at the cost of the petitioner, if so approached.

This order shall not, however, preclude the private respondent nos.5 and 6 from approaching the WBSEDCL for shifting of the electric connection from its current

route, if need be, upon paying adequate shifting charges as required by law to the WBSEDCL.

If so approached, the WBSEDCL shall independently decide such application of the private respondent nos.5 and 6 without being influenced in any manner by any of the observations made herein and act accordingly.

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.)