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18.02.2022
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WPA No.2264 of 2022

Ashis Kumar Roy
Vs.
West Bengal State Electricity Distribution
Company Limited and others

(Via Video Conference)

Mr. Probal Mukherjee,
Mr. Suhrid Sur

.... for the petitioner

Ms. Suvasree Ghose

.... for the WBSEDCL

Learned senior Advocate appearing for the petitioner contends that despite the petitioner having complied with the requisite formalities, the Distribution Licensee has not yet given a new electric connection to the petitioner.

Despite service, none appears for the private respondents, although the Distribution Licensee is represented through counsel, when the matter is called on for hearing.

Learned counsel appearing for the Distribution Licensee submits, on instruction, that the West Bengal State Electricity Distribution Company Limited

(for short “the WBSEDCL”) will give the new electric connection to the petitioner within a week from date.

It appears from the submissions of the parties that the private respondents are alleged licensors of the petitioner. However, since the petitioner is in settled occupation of the premises, the private respondents do not have any right to resist the new electric connection being given to the petitioner.

Hence, WPA No.2264 of 2022 is allowed, thereby directing the WBSEDCL to give a new electric connection to the petitioner within a week from date. In the event any obstruction is raised by the private respondents or their men and agents, the WBSEDCL personnel will be at liberty to approach the respondent no.4, that is, the Officer-in-Charge, Burdwan Sadar Police Station.

If so approached, the Officer-in-Charge of the Burdwan Sadar Police Station shall provide adequate police assistance to the WBSEDCL personnel for the limited purpose of giving such connection, if necessary by breaking open any padlock, if found in the way. Such police assistance will be given at the cost of the petitioner.

The parties shall act on the written communication of the learned Advocates for the parties, accompanied by server copies of this order,

without insisting upon prior production of a certified copy thereof.

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.)