

AD. 6.
March 10, 2022.
MNS.

(Through Video Conference)

WPA No. 3673 of 2022

Rejak Laskar
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Animesh Mukherjee,
Md. Ali Ahasan

...for the petitioner.

Mr. A. Shukla

...for the WBSEDCL.

Ms. Sutapa Sanyal,
Ms. Rajlakshmi Ghatak

...for the State.

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

Despite service, none appears on behalf of the
private respondent nos. 6 to 9. Since the said private
respondents choose to remain unrepresented despite
service, the writ petition is taken up for hearing *ex
parte* in the absence of the private respondents.

Learned counsel appearing for the petitioner
contends that, due to obstruction created by the
private respondent nos. 6 to 9, the West Bengal
State Electricity Distribution Company Limited (in
short 'WBSEDCL') is not being able to give electricity

connection despite the petitioner having duly applied for the same.

Learned counsel for the WBSEDCL corroborates such submission.

It appears from the records and from the submission of learned counsel for the petitioner that a different co-sharer had previously got a favourable order of this Court in a similar matter, although in connection with a different plot. A photocopy of the said order dated November 10, 2021 is annexed at page 34 of the writ petition.

Even apart from the previous order, it is evident that both the writ petitioner and the WBSEDCL are unanimous on the entitlement of the petitioner to get an electric connection at the premises as a settled occupier.

Accordingly, WPA No. 3673 of 2022 is allowed, thereby directing the WBSEDCL to give a new electricity connection to the petitioner from the existing meter board position at the premises-in-question within a fortnight from date, subject to compliance of all formalities by the petitioner.

Even if any obstruction is created by private respondent nos. 6 to 9 and their men and agents to the WBSEDCL personnel in giving such connection, the said personnel will be at liberty to approach the respondent no. 5, the Officer-in-Charge, Narendrapur Police Station. If so approached, the respondent

no.5 shall give adequate police assistance to the WBSEDCL personnel for such limited purpose at the cost of the petitioner.

It is made clear that if the WBSEDCL personnel face any hindrance and/or padlock or other like obstruction in having access to the existing meter board position for giving such electric connection to the petitioner, the police personnel will be at liberty to break open such padlock and/or remove the hindrance for the limited purpose of enabling the WBSEDCL personnel to give such electric connection to the petitioner.

It is made clear that supply of electricity, if given, shall not create any special right or equity in favour of the petitioner, if not otherwise available to the petitioner in law.

The parties shall act on the written communication of the learned advocates for the respective parties, accompanied by a server copy 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.)