

8&9
23.02.2022
TN

WPA No.4340 of 2017

Abdul Jabbar and another
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

With

WPA No.4956 of 2020

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

(Via Video Conference)

Mr. Mujibar Ali Naskar

.... for the petitioners in
WPA No.4340 of 2017

Mr. Kalidas Saha
Ms. Swagata Dutta

.... for the petitioner in
WPA No.4956 of 2020

Ms. Swagata Dutta

.... for the respondent no.5
in WPA No.4340 of 2017

Mr. Saurav Chaudhuri

.... for the WBSEDCDL
in WPA No.4340 of 2017

Mr. Mihir Kundu

.... for the WBSEDCDL
in WPA No.4956 of 2020

Mr. Jahar Dutta,
Mr. Jaladhi Das

.... for the State
in WPA No.4956 of 2020

Learned counsel for the petitioner in WPA No.4956 of 2020 submits that due to objection raised by the petitioners in WPA No.4340 of 2017, the petitioner's application for getting a new electric connection for operating his submersible pump is being held up at the end of the Distribution Licensee.

Upon hearing learned counsel for the Distribution Licensee as well as the petitioners in both the matters, it is evident that the specific dispute raised by Abdul Jabbar and another, that is, the petitioners in WPA No.4340 of 2017 to an electric connection being given to Harun, that is, the petitioner in WPA No.4956 of 2020 has to be resolved before the appropriate forum as designated by the West Bengal Electricity Regulatory Commission (WBERC) Regulations.

Hence, WPA No.4340 of 2017 as well as WPA No.4956 of 2020 are disposed of by directing the West Bengal State Electricity Distribution Company Limited (WBSEDCL) to refer the dispute to the concerned District Magistrate for resolution of the same within a fortnight from date. When so referred, the concerned District Magistrate shall decide the dispute in accordance with law, upon giving adequate opportunity of hearing to all the interested parties, as

expeditiously as possible, preferably within five weeks after the reference being made.

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.)