

04
10.05.2022
TN

WPA No. 5235 of 2022

Sri Paban Kumar Haldar
Vs.
State of West Bengal and others

Mr. Suchindram Bhattacharjee
.... for the petitioner

Mr. Sumit Ray
.... for the WBSEDCL

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

Learned counsel for the petitioner contends
that, despite the copies of the writ petition having
been sent on the added respondents/objectors as well,
the service could not be effected and the relevant
track report of the Government Postal website
indicates that the item was returned with the
endorsement, “addressee could not be located”.

However, it is stated that the full address of the
added respondents, as indicated in the amended

cause title of the writ petition itself, was mentioned on the envelopes.

The address given in the amended cause title could not be more specific, particularly keeping in view that the area-in-question is on the outskirts of the city.

As such, it is deemed that the added respondents are deliberately avoiding service.

The limited scope of the writ petition is that the private/added respondents allegedly dismantled the electricity supply equipment to the petitioner's premises, for which the petitioner had approached the WBSEDCL but, due to obstruction created by the added respondents, the Distribution Licensee has not been able to restore such connection upon taking appropriate measures for repair of the concerned equipment.

Learned counsel for the WBSEDCL submits that, in view of the resistance faced by the WBSEDCL personnel, the work cannot be done without appropriate police assistance.

In view of the aforesaid circumstances, WPA No.5235 of 2022 is disposed of by directing the WBSEDCL to repair the equipment for the purpose of reconnecting electricity supply to the petitioner, subject to the petitioner clearing all dues to which the

WBSEDCL is entitled, and thereafter to restore such supply to the petitioner.

Such entire work, including the restoration of electricity connection to the petitioner, shall expectedly be completed within two weeks from date.

In the event the WBSEDCL personnel face any obstruction from the added respondent nos.7 and 8 and/or from any other quarter while doing so, it will be open to the said personnel to approach the Inspector-in-Charge/Officer-in-Charge of the local police station. If so approached, the said Inspector-in-Charge/Officer-in-Charge shall provide adequate police assistance to the WBSEDCL personnel, at the cost of the petitioner, for enabling the personnel to repair the equipment and to restore the electricity connection to the petitioner.

All concerned shall act on the 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.)