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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 6256 of 2022

Ajit Kumar Ghosh

-vs.-

The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Tushar Kanti Mukherjee
...for the petitioner

Mr. Amitabh Shukla,
Mr. Prabhat Chandra Pandey
...for the WBSEDCL

The grievance of the petitioner is that the WBSEDCL has taken a connection over the land of the petitioner for the purpose of giving electricity supply to respondent no. 5.

It is contended that such connection was given and an electricity pole installed on the land of the petitioner despite a specific objection of the petitioner.

Learned counsel appearing for the Distribution Licensee disputes such contention and submits that the connection has not been taken over or through the land of the writ petitioner.

However, since a factual dispute has arisen in the case, the matter has to be decided by the concerned

District Magistrate, who is the competent authority to decide such disputes.

Accordingly, W.P.A. No. 6256 of 2022 is disposed of by granting leave to the petitioner to refer the dispute to the concerned District Magistrate to resolve the issue, as agitated in the present writ petition.

It so referred, the concerned District Magistrate shall, upon giving opportunity of hearing to all concerned, decide the said issue and pass an appropriate order accordingly in accordance with law, as expeditiously as possibly, preferably within one month from reference.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)