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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 6306 of 2022

Namita Bid

-vs.-

The Chairman, West Bengal State
Electricity Distribution
Company Limited & Ors.

Mr. Syed Mosihar Rahman

...for the petitioner

Mr. Sourav Chaudhuri

...for the WBSEDCL

Mr. Rwitendra Banerjee,

Mr. Sandip Kundu

...for the private respondent

The grievance of the petitioner is that, due to the objection raised by private respondent no. 5, the WBSEDCL is being unable to process the application for a new electricity connection filed by the petitioner.

The contention of the petitioner is vehemently opposed by learned counsel appearing for the private respondent no. 5.

Upon hearing learned counsel for the parties, it appears that the petitioner has a right to get a new electricity connection under Section 43 of the Electricity Act, 2003.

Hence, W.P.A. No. 6306 of 2022 is disposed of by directing the WBSEDCL to give electricity connection

to the petitioner in her name at the premises as per the application for new connection filed by the petitioner, subject to compliance of all formalities by the petitioner and subject to feasibility of giving such connection.

In the event any objection is raised or obstructions created from any quarter, it will be open to the WBSEDCL personnel to approach the respondent no. 4, that is, the Officer-in-Charge of the Shyampur Police Station, for adequate police assistance.

If so approached, the respondent no. 4 shall render such assistance at the cost of the petitioner.

It is made clear that the electricity connection, if given to the petitioner, shall not create any special equity or right in favour of the petitioner and shall be without prejudice to the contentions of the petitioner as well as any other person who might have grievances against the petitioner, including the respondent no. 5, in any other proceeding pending before any other forum.

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.)