

29th June,
2022
(AK)
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W.P.A 9199 of 2022

Purba Patra nee Chakraborty
Vs.
West Bengal State Electricity Distribution Company
Limited and others

Mr. Sourav Sen
Ms. Adrisnata Chakraborty
...for the petitioner.

Mr. Soumyajit Chakraborty
...for WBSEDCL.

None appears for the private respondents even today when the matter is called on for hearing.

Learned counsel for the petitioner as well as the WBSEDCL contend, on the basis of an inspection report and a communication of the requirement of the WBSEDCL, both dated June 27, 2022, that it is possible to give a new electricity connection in the name of the petitioner provided separate electrical wiring is established from the existing electrical connection wiring, in view of the petitioner already enjoying electricity from the existing connection.

It is further insisted upon by the WBSEDCL that necessary Way Leave permission is also required to be produce by the petitioner.

Learned counsel for the petitioner, on instruction, submits that the petitioner is agreeable to bear the

necessary charges, upon the WBSEDCL indicating the same.

In such view of the matter, since the petitioner is in settled occupation of her portion of the premises, she is entitled to get electricity connection at such premises in her own name within the contemplation of section 43 of the Electricity Act, 2003.

The existing order of the civil court, restraining the private respondents from disturbing the peaceful possession of the petitioner over the “A” Schedule property and from transferring/alienating the “A” Schedule property to any third party rather enures to the benefit of the petitioner in that respect.

Hence, the private respondents has no *locus standi* to object to the electricity connection being given to the petitioner subject to the petitioner complying with all formalities, including those as required by the WBSEDCL and indicated in their report.

Hence, WPA 9199 of 2022 is disposed of by directing the WBSEDCL to give a new electricity metered connection in the name of the petitioner pursuant to her application, subject to compliance of all formalities, as indicated above and otherwise, by the petitioner, positively within a fortnight from the compliance of such formalities.

In the event any obstruction is raised by the private respondent in doing so, the WBSEDCL personnel will be

at liberty to approach the Officer-in-Charge/Inspector-in-Charge of the local police station for adequate police assistance in that regard.

If so approached, the said Officer-in-Charge/Inspector-in-Charge (as applicable) shall render such assistance at the cost of the petitioner for the limited purpose of enabling the WBSEDCL personnel to give such connection to the petitioner.

In the event any padlock is affixed or hindrance is put up in the way of access of the WBSEDCL personnel to the required position for installing the meter, it will be open to the police personnel to remove such hindrance for the limited purpose as indicated above.

The local police authorities and all concerned, including the parties, shall act on the written communication of the learned Advocate for the petitioner, coupled with server copy of this order, without insisting upon prior production of a certified copy thereto.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)