

23.05.2022

ct no. 6

Sl. 6

pk/ap

**WPA 9237 of 2022
(Through Video Conference)**

**Sri Sri Iswar Damodar Jew Thakur represented by
its Sebayits Binapani Chakraborty & Anr.**

Versus

**West Bengal State Electricity Distribution
Company Limited and others**

Mr. Surajit Nath Mira, Sr. Advocate,
Mr. Debabrata Ray,
Mr. Soumik Mondal.

...for the petitioners.

Mr. Debanjan Mukherjee.

... for the WBSEDCL.

Mr. Jahar Dutta,
Mr. Bipin Ghosh.

..for the respondent no.5.

The grievance of the petitioners is directed against the illegal and unlawful steps taken by the respondent Distribution Company in taking steps to instal a transformer on the premises of the petitioners.

It is alleged on behalf of the petitioners that the petitioners are in lawful possession of the subject premises and the respondent Distribution Company at the instigation of some politically motivated persons are trying to instal a transformer at the subject premises. In fact, electric poles have also been installed at the subject premises. The petitioners further allege that no permission of any kind whatsoever was

taken by the respondent Distribution Company prior to commencing installation activities.

The respondent Distribution Company is represented and submits that all steps have been taken in accordance with law. It is further submitted on behalf of the respondent Distribution Company that there is serious dispute in respect of ownership of the subject premises. All such submissions made on behalf of the respondent Distribution Company are refuted by the petitioners.

In find that, from the photographs annexed to the petition, it appears that construction activities have already commenced at the subject premises.

Accordingly, I direct the respondent no.5 being the District Magistrate, Paschim Medinipur to consider the grievance of the petitioner and give a right of hearing to all concerned parties and pass a reasoned decision within a period of fourteen days from the date of passing of the order.

A dispute has been raised as to whether any transformer has in fact been installed or not at the subject premises. In view of the aforesaid, I direct that in case no transformer has been installed at the subject premises, the respondent Distribution Company shall not

install any such transformer before the disposal of the application by the District Magistrate, Paschim Medinipur as aforesaid. The District Magistrate, Paschim Medinipur is directed to act expeditiously and conclude the proceedings within the stipulated time period in accordance with law.

With the aforesaid directions, W.P.A. No. 9237 of 2022 stands disposed of.

There shall however be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the Official Website of this Court.

(Ravi Krishan Kapur, J.)