

C/L. 56.
September 8, 2022.
MNS.

WPA No. 9461 of 2018
+
CAN 1 of 2019(Old CAN 3368 of 2019)
+
CAN 2 of 2022

Mansur Ali Sk
Vs.
The Chairman, West Bengal State
Electricity Distribution Company Limited
and others

Mr. Sailendra Nath Chakraborty

... for the petitioner.

Ms. Sima Sengupta

...for the Distribution Licensee.

Re: CAN 1 of 2019(Old CAN 3368 of
2019) and CAN 2 of 2022.

The gamut of the dispute, as it transpires
after hearing of learned counsel for the parties, is
that the petitioner has been enjoying an electricity
supply for operating a submersible pump.

Subsequently, the petitioner had applied
duly for change in the cable through which
connection has been given to the petitioner's
pump.

Accordingly, the grievance of the petitioner
is that the West Bengal State Electricity
Distribution Company Limited (WBSEDCL) has

raised exorbitant bills for purchase of such equipment, which has to be paid by the petitioner.

Hence, learned counsel for the petitioner seeks leave of the Court for the petitioner to purchase the equipment on behalf of the WBSEDCL for the purpose of effecting the necessary changes.

However, such contention is opposed by the WBSEDCL. Learned counsel for the WBSEDCL submits that if an application is made in proper format by the petitioner, the WBSEDCL shall decide such application in accordance with law.

Upon hearing learned counsel for the parties, WPA No. 9461 of 2018, along with CAN 1 of 2019 (Old CAN 3368 of 2019) and CAN 2 of 2022, are disposed of by granting liberty to the petitioner to make an application in proper format in the event, the petitioner seeks that the WBSEDCL is to convert/strengthen the nature of the present connection given to the petitioner and/or change the equipment for supplying electricity to the petitioner's submersible pump. If such an application is made, the WBSEDCL shall process the same in accordance with law and, subject to payment of due costs, the WBSEDCL

shall carry out such work as sought by the petitioner, if otherwise feasible in law.

However, it is made clear that this Court has not gone into the merits of the claim of the petitioner beyond the scope of the writ petition with regard to alleged outstanding dues from the end of the petitioner and the WBSEDCL shall be at liberty to take appropriate steps in accordance with law in that regard. Moreover, the equipment, if due payments are by the petitioner, shall be purchased by the WBSEDCL and not personally by the petitioner, since the latter would create safety hazards unnecessarily.

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.)