

M/L. 65.
August 4, 2022.
MNS.

WPA No. 15011 of 2022

Macadam Leisure Pvt. Ltd.
Vs.
West Bengal State Electricity Distribution
Company Ltd. and others

Mr. Mukteshwar Maity,
Ms. Manika Sarkar

... for the petitioner.

Mr. Sumit Ray

...for the WBSEDCL.

Ms. Sumitra Das,
Ms. Riya Chatterjee

...for the private respondent.

Affidavit-of-service filed in Court today be
kept on record.

Learned counsel for the petitioner
contends that the petitioner has preferred a suit
for specific performance of contract in respect of
the disputed property, which is pending.
However, since the petitioner is in occupation of
the premises, it is contended that the petitioner is
entitled to get electricity connection. However, the
Distribution Licensee, it is argued, is not giving
such connection to the petitioner.

Learned counsel for the petitioner places reliance on Annexure – P/2 at page- 24 of the writ petition, which is apparently a representation for electricity connection.

Learned counsel appearing for the Distribution Licensee, that is, the WBSEDCL takes an objection to the format in which the application has been filed.

In fact, a perusal of Annexure- P/2 reveals that the same is not a proper application for new electricity connection at all, but a communication dated July 23, 2021 couched in the form of a representation, on which the WBSEDCL is not bound to give a new electricity connection.

In any event, since the petitioner claims to be in possession, subject to the petitioner making a proper application in appropriate form and in accordance with law and upon compliance of all formalities by the petitioner, the WBSEDCL will process such application in accordance with law and act thereon as expeditiously as possible.

Accordingly, WPA No. 15011 of 2022 is disposed of by granting liberty to the petitioner to apply in proper form for electricity connection at the premises-in-question. If so applied and subject to compliance of all formalities, if such

connection is otherwise feasible, the WBSEDCL shall give such connection in accordance with law as expeditiously thereafter as possible, preferably within a fortnight from compliance of all formalities.

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.)