

AD-11
Ct No.09
06.09.2022
TN

WPA No. 15373 of 2022

Pratima Mondal and another
Vs.
The State of West Bengal and others

Mr. Maidul Islam Kayal,
Mr. Sumit Naskar
.... for the petitioners

Mr. Mani Shankar Chattopadhyaya,
Ms. Munmun Biswas
.... for the respondent nos.3, 4, 5 & 6

Mr. Golam Mohammad
.... for the private respondents

Learned counsel for the petitioners contends that although the petitioners applied for new electricity connection, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) is not being able to give such connection, primarily due to objection raised by the private respondent nos.10 to 13.

Learned counsel appearing for the WBSEDCL also submits that due to the said reason, the connection could not be effected.

Learned counsel appearing for the private respondents submits that the copy of the writ petition was sent to an erroneous address of the private respondents. However, a copy of the writ petition was obtained from the server by the private respondents.

More importantly, it is argued that in the event the connection is given to the petitioners, the same has to be taken over the private respondents' property, much to the detriment of the safety and security of the private respondents.

Since such factual dispute has to be decided under the law by the concerned District Magistrate, WPA No. 15373 of 2022 is disposed of by granting liberty to the petitioners and/or private respondents to approach the respondent no.7, that is, the District Magistrate, South 24 Parganas, with the dispute as indicated above. If so approached, the District Magistrate shall decide such issue in accordance with law upon giving adequate opportunity of hearing to all concerned, including the petitioners, the WBSEDCL as well as the private respondents and decide the issue as expeditiously as possible, preferably within eight weeks from the date of such reference to the District Magistrate.

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.)