

AD-12
Ct No.09
06.09.2022
TN

WPA No. 15548 of 2022

Isarul Haque Sk.
Vs.
The State of West Bengal and others

Mr. Md. Hasanuz Zaman
.... for the petitioner

Ms. Sweta Mukherjee,
Mr. Prantik Garai
.... for the State

Mr. Saurav Chaudhuri
.... for the WBSEDCL

Learned counsel for the petitioner submits that electricity connection has been given to the private respondent for operating the private respondent's submersible pump, even without the private respondent having produced the requisite SWID certificate and other documents. It is submitted that the petitioner is also an operator of a submersible pump in the locality and in the event the said connection is given unlawfully to the private respondents, the petitioner's right will be affected.

Learned counsel appearing for the State hands over a copy of an instruction indicating that the concerned SDO (Sub-Divisional Officer) has already fixed a date, that is, September 20, 2022 on which the private respondent is to produce the relevant

documents as sought in respect of the electricity connection.

Hence, the purpose of justice would be sub-served if the petitioner is also heard by the SDO before deciding the said issue.

Accordingly, WPA No. 15548 of 2022 is disposed of by directing the Sub-Divisional Officer, Katwa (respondent no.4 in the writ petition) to give an opportunity of hearing to the petitioner at the juncture of considering the documents produced by the private respondent in respect of the private respondent's electricity connection and thereafter to decide the dispute between said parties as expeditiously as possible, preferably within a fortnight thereafter.

It is made clear that the respective contentions of the private parties with regard to their right, title and interest in the property-in-question vis-à-vis electricity connection have not been gone into by this court and it will be open to the SDO to consider all relevant documents while deciding the issue.

The respondent no.4 shall intimate the next date, time as well as the venue of hearing to the petitioner sufficiently prior to the next hearing date.

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.)