

AD. 20.
March 23, 2022.
MNS.

WPA No. 16328 of 2021

Rokiya Begum @ Rokeya
Begum @ Mst. Rokia Begum
and another

Vs.

The West Bengal State Electricity
Distribution Company Limited and others

Mr. Kamal Zahiruzzaman,
Md. Khairul Basar Bulbul,
Sk. Aptabuddin

...for the petitioners.

Mr. Kanak Kiran Bandopadhyay

... for the WBSEDCL.

Ms. Chaitali Bhattacharya,
Mr. Kartik Chandra Kapas

...for the State.

Md. Mahmud,
Ms. Pinki Das

...for the private respondent.

Affidavit-in-opposition filed by the private
respondent and reply thereto filed today be kept on
record.

The contention of the petitioners is that the
electricity connection of the private respondent has
been taken over the residence of the petitioners,
thereby causing substantial hazard to the petitioners.

Such contention is controverted by the private
respondent.

In its affidavit-in-opposition, the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') has also relied on an inspection report, which clearly indicates that the electric connection given to the private respondent does not endanger the petitioners' premises in any manner.

Although the petitioners have annexed certain photographs to their reply, the said photographs, *per se*, do not establish any hazard, that too to the petitioners, and/or as to whether the hut shown in the photographs belonged to the petitioners at all. In any event, since a specific stand has been taken by the WBSEDCL corroborating the averments of the private respondent that there is no risk to the petitioners, since the line of the private respondent has not gone sufficiently close over the petitioners' hut, there is no scope of embarking upon a factual enquiry, upon looking into the evidence, more so, as it is the statutory prerogative and responsibility of the WBSEDCL to ensure safety and security. In view of the specific stand taken by the WBSEDCL in the present case, that there is no threat to the safety and security of the petitioners, there is no scope of interference with the allegation made in the writ petition.

Accordingly, WPA 16328 of 2021 is dismissed without any 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.)