

14th September,
2022
(AK)
05

W.P.A 16812 of 2022

Durga Sankar Mondal
Vs.
The State of West Bengal and others

Mr. Soumya Banerjee
Mr. Saktimoy Ger
...for the petitioner.

Mrs. Suvasree Ghose
...for the WBSEDCL.

Mr. Subrata Das Gupta
...for the State.

Mrs. Rituparna Saha
Mrs. Reshma Chatterjee
...for the respondent nos. 8 & 9.

Learned counsel for the petitioner contends that due to the objection raised by the private respondents, electricity cannot be given to the petitioner's premises by the Distribution Licensee/WBSEDCL.

Learned counsel for the WBSEDCL files written instruction along with a hand sketch map which indicates that, in order to take electricity connection to the house of the petitioner, two poles have to be installed diagonally across a passage which is about seven to eight feet in width.

Despite service, all the private respondents are not represented.

Learned counsel for the Rabindranath Mondal, one of the private respondents, submits that previously the pole was sought to be installed immediately in front of the house of the said objector. However, the present location as indicated in the sketch map is opposite and away from the house of the petitioner and in a corner of the passage, which will not create any hindrance to the ingress and egress of the said private respondent Rabindranath Mondal.

Upon considering the sketch map and the submissions of parties, it is clear that there is a passage over which the electricity connection will be taken in order to electrify the house of the petitioner.

Since electricity is a basis necessity, there cannot be any conceivable reason to deprive the petitioner of such right.

Hence, WPA 16812 of 2022 is disposed of by directing the WBSEDCL to install the necessary poles and complete the work of giving electricity connection to the petitioner, of course, subject to compliance of all due formalities by the petitioner, as expeditiously as possible, preferably within four weeks from the date of completion of such formalities.

It is expected that the electricity line installed by the WBSEDCL will go over the passage at a sufficiently safe height so as not to affect the regular passage over the said path.

In the event any obstruction is raised by the private respondents and/or their men and agents, the WBSEDCL personnel shall be at liberty to approach the respondent no.5, that is, the Officer-in-Charge of the Uluberia Police Station for adequate police assistance in that regard.

If so approached, respondent no.5 shall grant such assistance to the WBSEDCL personnel for the purpose of installing the electricity poles and giving the electricity line to the petitioner. Such assistance will be provided at the cost of the petitioner.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)