

8th September,
2022
(AK)
06

W.P.A 19113 of 2022

Diljan Bibi
Vs.
The Chairman, West Bengal State Electricity Distribution
Company Limited and others

Mr. Lakshminath Bhattacharjee
...for the petitioner.

Mr. Swapan Kr. Pal
...for the State.

Mr. Rajib kr. Acharyya
Mr. Banshi Badan Maity
...for the respondent no.7.

Dr. Madhusudan Saha Ray
...for the WBSEDCL.

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

Learned counsel for the petitioner contends that an
electricity pole has been installed over the petitioner's
property without taking any permission from the
petitioner.

Learned counsel for the Distribution Licensee
submits that the said electricity pole also caters to the
electricity supply of the petitioner herself along with other
persons.

Hence, it is submitted that the petitioner had no
scope of raising the objection after the pole having been
installed.

Learned counsel appearing for the private respondent submits that the matter ought to be decided by the District Magistrate.

Although it is rightly submitted by learned counsel for the WBSEDCL that there may be an ingredient of civil dispute between the parties, since the present objection of the petitioner, as annexed at page 13 of the writ petition, pertains to the installation of an electricity pole having incidental correlation with a civil dispute, WPA 19113 of 2022 is disposed of by directing the District Magistrate, Purba Medinipur, that is, the respondent no. 4 herein to decide on the representation annexed at page-13 of the present writ petition (Annexure-P2) upon giving opportunity of hearing to the petitioner, the WBSEDCL as well as the private respondent and other interested persons, if any and to adjudicate the dispute in accordance with law as expeditiously as possible, preferably within eight weeks from the date of communication of this order to the District Magistrate.

The petitioner shall communicate this order to the District Magistrate at the earliest.

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.)