

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 19694 of 2022

Swapan Das
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Sarbananda Sanyal,
Ms. Poulami Chakraborty
...for the petitioner

Mr. Radhamohan Ray
...for the WBSEDCL

Learned counsel appearing for the petitioner submits that the petitioner is one of the tenants at the premises-in-question, where other tenants have been given independent connection by the West Bengal State Electricity Distribution Company Limited (WBSEDCL). However, despite the petitioner having applied for a new electricity connection in the petitioner's name, the WBSEDCL has refused till date to accept the said application of the petitioner. It is submitted that the WBSEDCL is also insisting upon a no-objection certificate from the landlord of the petitioner, who has expired long back.

Learned counsel appearing for the WBSEDCL points out to the annexures of the writ petition, in particular, pages 16 and 18 thereof, which are parts of

the copy of the application for new connection annexed by the petitioner himself.

It is seen even from a cursory perusal of the said pages that several spaces were left blank by the petitioner where requisite signatures were to be put in.

Moreover, learned counsel for the WBSEDCL, by handing over a Circular bearing Circular No. 72 dated June 10, 2022 issued by the WBSEDCL, submits that the petitioner has also to produce proof of identity as specified therein and any of the proofs of ownership/legal occupancy, as indicated in the said Circular. It is seen from the said Circular that it also includes telephone bill, rent bill, rent control Challan or documents issued by any Ministry or Department of Government showing occupancy.

Learned counsel appearing for the petitioner submits that the petitioner can furnish all such documents and, in fact, has furnished some of the documents with the application for new connection.

Since there are various defects glaring in the application filed by the petitioner, W.P.A. No. 19694 of 2022 is disposed of by granting liberty to the petitioner to make a fresh application for getting new electricity connection at the premises-in-question in proper format, upon properly filling up the entire form and furnishing all the documents, as are required for giving such connection.

Upon such application having been duly filed by the petitioner, the WBSEDCL shall raise a quotation accordingly and proceed, if feasible, to give such connection to the petitioner at the earliest, preferably within three weeks from the compliance of all formalities by the petitioner.

It is made clear that the WBSEDCL shall not insist upon any no-objection certificate from the landlord in the event the petitioner successfully produces/furnishes any document or copy thereof to prove the occupancy of the petitioner in respect of the premises.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)