

AD-35
Ct No.09
04.11.2022
TN

WPA No. 21550 of 2022

Bablu Pal
Vs.
The State of West Bengal and others

Ms. Piyali Sengupta,
Mr. Victor Chatterjee

.... for the petitioner

Mr. Swapan Kr. Pal

.... for the State

Mr. Debanjan Mukherji

....for the WBSEDCL

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

Leave is granted to the learned Advocate-on-
record for the petitioner to amend the cause title of
the writ petition during the course of the day.

Learned counsel for the petitioner contends that
due to obstruction created by the private respondent,
the Distribution Licensee is not being able to give new
service connection to the petitioner.

It transpires from the fresh affidavit-of-service
filed in court today that the private respondent has
been served duly in the meantime. Since the private
respondent chooses not to appear today, the matter is
taken up for hearing *ex parte*.

Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) corroborates the stand of the petitioner inasmuch as the petitioner himself gave a representation on July 25, 2022 annexed at page-20 (Annexure P-6) of the writ petition, to such effect.

In such view of the matter, since the petitioner has a right under Section 43 of the Electricity Act, 2003 to get electricity connection to the premises upon compliance of all formalities, WPA No. 21550 of 2022 is allowed, thereby directing the WBSEDCL to give electricity connection to the petitioner as expeditiously as possible, subject to compliance of all due formalities by the petitioner, preferably within two weeks from the date of such compliance and/or this order, whichever is later.

In the event any hindrance is put up by the private respondent and/or his men and agents to the WBSEDCL personnel in giving such connection upon installing the necessary apparatus and poles, it will be open to the WBSEDCL personnel to approach respondent no.4, the Inspector-in-Charge, Deganga Police Station for adequate police assistance in that regard. If so approached, the respondent no.4 shall act on the server copy of this order, accompanied by the communication by a learned Advocate of this

court and comply with the same by giving such adequate police help to the WBSEDCL personnel at the cost of the petitioner immediately.

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.)