

23rd November,
2022
(AK)
04

W.P.A 23963 of 2022

Deb Kumar Manna
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Sahajahan
Mr. Asif Iqbal Ahmed
...for the petitioners.

Mr. Partha Sarathi Basu
...for the WBSEDCL.

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

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

Learned counsel for the petitioner submits that
despite the petitioner having complied with all requisite
formalities for getting new electricity connection, the
WBSEDCL has not yet given such connection.

When the petitioner reiterated his claim, the
WBSEDCL informed that the petitioner is required to
produce 'Way Leave' permission, without specifying from
whom the same is to be taken.

Learned counsel appearing for the Distribution
Licensee submits that a third party to the litigation, being

one Mr. Swapan Kr. Ray, has given an objection in writing to the connection being given to the petitioner.

A copy of the said written objection of Swapan Kr. Ray, handed over today in court by learned counsel for the WBSEDCL, be kept on record.

It is evident from the said objection, given in Bengali vernacular, that the same is an application to the WBSEDCL for removal of a High Tension Line from the property adjacent to the said objector.

However, upon query of court, learned counsel for the WBSEDCL submits that there is already an existing High Tension Line from which connection has been given to other persons.

In such view of the matter, it does not appear that the third party Swapan Kr. Ray, who has no direct nexus with the petitioner having a new electricity connection, is required to be heard.

Hence, keeping on record the written objection purportedly given by the said third party, WPA 23963 of 2022 is disposed of by directing the WBSEDCL to give electricity connection to the petitioner within a fortnight from date from the present existing location of the electricity mains in the area irrespective of any objection by any third party.

In the event the WBSEDCL personnel face any obstruction in doing so, it will be open to the WBSEDCL personnel to approach respondent no. 5, the Officer-in-Charge of the Patashpur Police Station.

If so approached, respondent no.5 shall act on the communication of the learned advocates for the parties, accompanied by a server copy of this order, without insisting upon prior production of a certified copy.

Such police help will be granted by respondent no.5 upon approach being made by the WBSEDCL personnel 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.)