

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 25007 of 2022

Habu Sk.
Vs.
The West Bengal State Electricity
Distribution Company Ltd. & Ors.

Mr. Lalratan Mondal
... for the petitioner

Mr. Shouveek Ray
... for the WBSEDCL

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

Learned counsel appearing for the petitioner
submits that the petitioner has been enjoying
electricity connection for operation of a submersible
pump. However, due to certain hazards having arisen
for the connection being given via long distance loose
cables, the petitioner gave a written representation to
that effect to the Station Manager, Nabagram CCC and
the Assistant Engineer, Nabagram CCC of the West
Bengal State Electricity Distribution Company Limited
(WBSEDCL).

It is submitted that in spite of such
communication, no step has been taken by the
WBSEDCL in that regard.

Learned counsel appearing for the WBSEDCL submits that the petitioner has all along been enjoying electricity connection, regarding which there was no complaint till date. However, there is apprehension on the part of the WBSEDCL that the connection has been shifted at the behest of the petitioner himself.

Be that as it may, in the event the WBSEDCL has any grievance against the petitioner to the effect that the petitioner is in violation of law in any manner, it is always open to the WBSEDCL to take appropriate steps in that regard, as envisaged by law.

However, since the petitioner has specifically alleged an imminent danger for which the loose cable is required to be replaced, the same has to be looked into by the WBSEDCL immediately.

Accordingly, W.P.A. No. 25007 of 2022 is disposed of by directing the WBSEDCL to consider the representation of the petitioner, as annexed at page 24 (annexure P-5) of the present writ petition, and to take necessary steps in accordance with law, to effect the necessary alterations, if so required.

It is, however, made clear that nothing in the order shall preclude the rights of the WBSEDCL to make any complaint in the event the WBSEDCL is of the opinion that the petitioner is violating the law in any manner.

However, the consideration of the petitioner's representation and the steps taken on the same shall be independent of such allegation being made by the WBSEDCL, if any.

However, such replacement/alteration, if made by the WBSEDCL, shall be subject to the result of any subsequent complaint which the WBSEDCL may make in future.

The deadline for completing the entire exercise of consideration of representation and for effecting the necessary alteration, if any, is fixed at the most at December 16, 2022.

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.)