

14th December,
2022
(AK)
08

W.P.A 26471 of 2022

Mrityunjay Naskar
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Goutam Banerjee
Mr. Sandip Kumar Mondal
...for the petitioner.

Mr. Sumit Ray
...for the WBSEDCL.

Mr. Ratul Das
...for the State.

Mr. Lakshminath Bhattacharyya
...for the private respondent no.6.

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

Learned counsel for the petitioner argues that in view of the petitioner's objection to the private respondent taking an electricity connection over the premises of the petitioner, a previous order was passed by this court directing the matter to be referred to the concerned District Magistrate.

Pursuant to such direction, the District Magistrate, South 24 Parganas, vide order no.3 dated September 21, 2022, has directed the WBSEDCL to draw LT cable in such manner that ensures maximum vertical clearance above ground as per local building norms and technical feasibility and to adhere to safety norms.

In the event of failure, the electric connection may be effected using underground cables after due assessment of technical feasibility of the same.

Learned counsel for the petitioner submits that despite the underground cable-laying option being available, the WBSEDCL is taking the line over the petitioner's agricultural land, thereby causing unnecessary hazard and harassment to the petitioner.

Learned counsel appearing for the WBSEDCL submits that there is no alternative passage than the overhead route over the petitioner's land for giving electricity connection to the private respondent.

In fact, in the event underground cables are laid for such purpose, it will be all the more detrimental to the future user of the petitioner's and other adjacent agricultural land.

Upon hearing learned counsel for the parties and perusing the order of the District Magistrate, I find no illegality or irregularity in the said order and/or in the endeavour of the WBSEDCL to give overhead connection to the private respondent over the petitioner's land.

Since the order of the Magistrate is sufficiently clear as regards maximum vertical distance above ground as per local building norms and technical feasibility being maintained and regarding adherence to safety norms, there cannot be any unnecessary apprehension in the mind of the petitioner for permitting the WBSEDCL to

draw overhead line to give electricity connection to the private respondent.

In such view of the matter, the grievance raised in the present writ petition is frivolous and has to be turned down.

Accordingly, WPA 26471 of 2022 is dismissed without any 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.)