

D/L. 3.
December 23, 2022.
MNS.

WPA No. 26783 of 2022

Sekh Mahabub Alam
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Ms. Pampa Dey (Dhabal),
Mr. Nikhil Kumar Gupta

... for the petitioner.

Ms. Suvasree Ghose

...for the WBSEDCL.

Learned counsel for the petitioner ventilates the grievance that although the petitioner applied for a new electricity connection, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) has not yet taken any steps thereon.

Learned counsel appearing for the WBSEDCL files written instructions containing the list of the things, which are required to be done by the petitioner for electricity connection to be given to the petitioner. A copy thereof is handed over to the learned Advocate for the petitioner.

The said written instructions indicate, *inter alia*, that the premises is purely a steel structure with a tin shed and there is no wall, wiring or

other infrastructure for giving electricity connection. It is further stated that there is no residential premises nearby. It is also indicated in the written instructions that the relevant records of rights exhibit that the land is a '*sal*' land and, as such, a domestic and commercial connection cannot be given therein.

There is substance in such contentions of the WBSEDCL.

Although learned counsel appearing for the petitioner seeks to rely on certain photographs, which are filed in court, those merely show a metal shed structure without any wall and/or infrastructure and a small adjacent room which has not yet been constructed completely.

Inasmuch as the other photograph relied on is concerned, it clearly shows that the land is a barren land with some posts standing thereon.

Thus, in view of the absence of any infrastructure whatsoever, there is no scope of giving electricity connection, either commercial or domestic, at the said virtually-barren land.

Such photographs along with the instructions filed in court be kept on record.

In view of the above contentions having been taken by the WBSEDCL, which are justified, there is no scope of the writ court issuing a direction on the WBSEDCL to give electricity connection to the petitioner.

Hence, WPA No. 26783 of 2022 is dismissed without any order as to costs.

However, liberty is given to the petitioner to complete the required constructions and subsequently to apply for electricity connection. If so done, the WBSEDCL shall process the said application and upon being satisfied that there is sufficient infrastructure on the premises for the purpose of giving electricity connection, give connection to the petitioner.

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.)