

22nd December,
2022
(AK)
04

W.P.A 28027 of 2022

Joy Bardhan Sharma
Vs.
The Chairman, West Bengal State Electricity Distribution
Company Limited and others

Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu
...for the petitioner.

Mr. Sankar Banerjee
...for the WBSEDCL.

Mr. Arijit Chatterjee
Mr. Joydeep Mukherjee
...for the respondent nos.5 & 6.

Learned counsel for the petitioner submits that due to obstruction raised by private respondent nos.5 and 6, the WBSEDCL is not being able to give a new electricity connection to the petitioner.

Learned counsel appearing for the private respondents contends, on instruction, that the line is sought to be given to the petitioner over the property of the respondent nos.5 and 6, thereby creating considerable safety hazard for the private respondents.

Learned counsel appearing for the WBSEDCL submits that upon a joint inspection, it was found out that there is no alternative route for giving the electricity connection to the petitioner.

In view of the dispute between the parties having touched factual aspects, which require a decision on the

basis of assessment of relevant materials, WPA 28027 of 2022 is disposed of by granting liberty to the petitioner to approach the concerned District Magistrate having territorial jurisdiction over the land-in-question with the dispute as raised in the present writ petition.

If so approached, the District Magistrate shall give adequate opportunity of hearing to all concerned and decide the issues in accordance with law, thereafter passing a reasoned order thereon.

The Magistrate shall decide the issue without being influenced in any manner by any of the observations made herein.

The exercise, it is expected, shall be concluded by the District Magistrate as expeditiously as possible, positively within eight weeks from the date of reference of the matter to the District Magistrate.

The parties shall act on the written communication of the learned Advocates for the parties, coupled with server copy of this order, without insisting upon prior production of a certified copy thereof.

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.)