

4th January,
2022
(AK)
04

WPA 11723 of 2020

Parul Ghorui @ Parulbala Ghorui
Vs.
West Bengal State Electricity Distribution Company
Limited and others

(Via Video Conference)

Mrs. Juin Dutta Chakraborty
...for the petitioner.

Ms. Suvashree Ghosh
...for WBSEDCL.

When the matter is called on for hearing, an envelope is filed in court by learned counsel for the petitioner which discloses that the service intended on the private respondents returned with the endorsement '*address insufficient*'.

However, it is evident from the cause title of the writ petition that the same address, that is, Village and Post Office-Raghudebpur, Police Station-Rajapur, District-Howrah, PIN-711322 has been given in respect of the petitioner and the private respondents.

It appears that, despite sufficient address having been given, the private respondents are avoiding service, particularly in view of the submission of learned counsel for the petitioner that the private respondents are immediate neighbors of the petitioner.

The bone of contention in the present writ petition is that the WBSEDCL is not being able to give electric connection as per the petitioner's application due to

resistance created by the private respondents and their men and agents.

Since Section 43 of the Electricity Act confers a right on an occupant to have an electric connection, subject to compliance of all formalities, the private respondents are acting *de hors* the law in putting up a resistance without just cause.

Accordingly, WPA 11723 of 2020 is allowed, thereby directing the WBSEDCL to give new electric connection to the petitioner in terms of the petitioner's application, subject to compliance of all formalities by the petitioner, within a week from date.

In the event any resistance is put up to the WBSEDCL personnel from giving such connection by the respondent nos.4 and 5 and/or their men and agents, it will be open to the WBSEDCL personnel to approach respondent no.3, the Officer-in-Charge, Rajapur Police Station for adequate police assistance.

If so approached, the respondent no.3 shall grant such police help for the purpose of giving the connection to 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.)