

37
28.02.2022
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 99 of 2022
(Via Video Conference)**

**Saiyam Goyal
-versus
State of West Bengal & Ors.**

**Mr. Sandip Mandal,
Mr. Abhilash Mittal.
...For the petitioner.**

**Mr. Kunaljit Bhattacharjee,
Mr. A.Palit,
Mr. A. Sarkar.
...For the Respondent
Nos. 7 and 8.**

**Mr. Hirak Barman,
Ms. Bedashruti Bose.
...For the State.**

**Mr.Sudipta Kanta Bhowmik.
...For the Respondent No.2.**

Affidavit of service filed in Court today taken on record.

The petitioner, being the power of attorney holder of the alleged owner of the land in dispute, alleges that the Distribution Company is not effecting electricity connection in the property in question.

Learned advocate representing the Distribution Company submits that there are two separate independent applications praying for providing electric connection over the self-same plot of land, one from the petitioner and the other from the private respondents.

The Distribution Company inspected the said plot and found that there are two separate applications in respect of the same plot. The Distribution Company is not in a position to effect two separate connections in the self-same plot of land in the name of two different persons claiming themselves to be the owners of the land in question.

It appears from the submissions of the parties that a Civil Suit regarding declaration of title is pending consideration before the Learned Civil Judge, Junior Division, Jalpaiguri.

As it appears that there is a title dispute with regard to the property in question, accordingly, at this stage, the Distribution Company cannot be directed to grant electricity connection in the said premises. The parties will be at liberty to apply before the Distribution Company after obtaining necessary orders from the competent Court.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)