

D/L. 23.
January 16, 2023.
MNS.

WPA No. 601 of 2023

Aftabur Rahaman Mondal
Vs.
The West Bengal State Electricity
Distribution Company Limited and others

Ms. Juin Dutta Chakraborty

... for the petitioner.

Mr. Mihir Kundu

...for the WBSEDCL.

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

Despite service, none appears on behalf of
the private respondent nos. 4 and 5. As such, no
further notice is required to be served upon them.

Learned counsel for the petitioner
contends that the petitioner is the brother of the
private respondent nos. 4 and 5 and initially there
was a family arrangement between the petitioner
and the private respondents, pursuant to which
different portions were taken on occupation by
each of the private parties. Subsequently, the
private respondents built their own houses on
their respective occupied portions. However,
when the petitioner constructed his own house

and sought for an electricity connection to such portion, the same could not be given to the petitioner by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) due to obstruction created by the private respondents.

Learned counsel appearing for the WBSEDCL corroborates such stand and submits that although the WBSEDCL personnel went on several (at least two) occasions to give such connection, the same could not be given due to resistance being offered physically by the private respondents and/or their men and agents.

Since the WBSEDCL does not have any technical impediment in giving such connection and as the petitioner is an owner and occupier of the property, or at least a co-owner thereof, the petitioner is entitled to get an electricity connection at the property.

Accordingly, WPA No. 601 of 2023 is disposed of by directing the WBSEDCL to give the new electricity connection to the petitioner in the petitioner's name, as applied for, subject to compliance of all formalities, within a fortnight from date and/or from the compliance of all formalities, whichever is later.

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

If so approached, the respondent no. 3 shall act on a server copy of this order without insisting upon prior production of a certified copy thereof and give such assistance to the WBSEDCL personnel at the cost of 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.)