

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 1046 of 2023

Astar Ali
Vs.
West Bengal State Electricity
Distribution Company Ltd. & Ors.

Mr. M. Mondal,
Mr. Nasim Ahmed
... for the petitioner

Mr. Debanjan Mukherjee
...for the WBSEDCL

The grievance of the petitioner is that the petitioner's father obtained a SWID certificate from the Ground Water Resources Authorities for taking electricity connection and operating a submersible pump. When the petitioner applied for electricity connection for operating submersible pump at the same location subsequent to the demise his father, the WBSEDCL is not giving such connection although all the co-sharers of the petitioner have given their consent in that regard.

Learned counsel appearing for the Distribution Licensee submits that the petitioner's application does not indicate as to what is the load factor for the connection which the petitioner seeks. Secondly, the extant rules say that the applicant is required to file a

SWID certificate in his own name, which has not been done by the petitioner.

Upon query of Court, learned counsel appearing for the petitioner, in his usual fairness, concedes that at present no licence is being issued for the area-in-question.

Heard learned counsel for the parties.

It is seen from annexure P-1 (at page 9 of the writ petition) that the certificate annexed thereto is dated December 14, 2011 and, as such, is considerably old.

Such certificate has since become obsolete, more so, since the holder of the certificate, the petitioner's father, has met his demise in the meantime. Hence it is not possible to grant any relief to the petitioner at the present juncture on the basis of such obsolete certificate in his deceased father's name.

W.P.A. No. 1046 of 2023 is, thus, disposed of in the light of the above observations. However, the petitioner shall be at liberty to apply for electricity afresh indicating the load factor regarding the electricity connection sought by the petitioner with the respondent authorities.

Upon compliance of all formalities by the petitioner, including production of a SWID certificate for operating the submersible pump in the name of the petitioner, the WBSEDCL shall process such fresh

application of the petitioner and decide the same as expeditiously as possible.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)