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09.06.2023
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In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. No. 11893 of 2023

Smt. Smita Sarkar
-vs.-
The State of West Bengal & Ors.

Mr. Sabyasachi Bhattacharjee,
Mr. Zeeshan Ahmed Tarafder
...for the petitioner

Mr. Himadri Sikhar Chakraborty,
Ms. Susnita Saha
...for the State

Mr. Shouveek Ray,
Mr. Niket Ojha
...for the WBSEDCL

Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) hands over a printout of a notification dated April 02, 2013, being No. 53 of the WBERC, known as the West Bengal Electricity Regulatory Commission (Recovery of Expenditure for Providing New Connections) Regulations, 2013. It is stipulated in the said Regulations that the licensee shall bear the costs of giving supply of electricity for a new connection, if the distribution mains already exists in the vicinity and the applicant has to bear only the applicant's

proportionate share of the expenses. It is submitted, on instruction, by the WBSEDCL that, in the case of the petitioner, there are pre-existing distribution mains in the vicinity and, as such, the petitioner is required only to pay her proportionate expenses.

Hence, the petitioner does not have any further impediment in bearing the extra costs, if the petitioner applies under Form No. Pro B' 2010.

Accordingly, W.P.A. No. 11893 of 2023 is disposed of by granting liberty to the petitioner to apply for new electricity connection in her premises by way of Form No. Pro B' 2010 within a week from date.

Upon such application, the WBSEDCL shall duly raise estimates for the expenses to be paid by the petitioner, calculating the same on the basis of the proportionate share of the petitioner only. Such estimate shall be raised within a week from the filing of such application and handed over to the petitioner.

Thereafter, the petitioner shall comply with the requisite formalities and make due payments.

The WBSEDCL shall, within a fortnight after such compliance of formalities, give a new connection to 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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)