

D/L. 19.
June 16, 2023.
MNS.

WPA No. 13969 of 2023

Motiur Rahaman Laskar
Vs.
West Bengal State Electricity
Distribution Company Limited and others

Mr. Rama Prasad Sarkar

... for the petitioner.

Mr. Supratik Shyamal,
Ms. Minakshi Majumder

...for the respondent no. 6.

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

Learned counsel for the petitioner submits
that the petitioner, who is the son of the private
respondent no. 6, is an occupant at the premises-
in-question and runs a business therefrom, which
is the petitioner's livelihood.

However, the respondent no. 6, who is the
owner of the property and in whose name the
electricity connection at the property stood, had
such electricity supply disconnected at his behest
by the Distribution Licensee, thereby depriving
the petitioner from carrying on his livelihood and
affecting the right to live of the petitioner.

It is submitted that, as such, the said supply be reconnected.

Despite service, none appears for the Distribution Licensee, although the private respondent no. 6 is represented through counsel.

Learned counsel for the private respondent no. 6 submits that the petitioner has driven the private respondent no. 6, his father, out of his own house and, being thus fed up, the private respondent has had the electricity supply disconnected.

Be that as it may, the civil dispute between the parties cannot be adjudicated upon within the limited scope of the present writ petition, which arises out of an electricity matter.

What is palpable from the records is that the petitioner, not being a consumer of electricity at the premises, is not entitled to ask for reconnection of the electricity supply.

As such, the present writ petition is not maintainable at the behest of the petitioner.

Accordingly, WPA No. 13969 of 2023 is disposed of, however, giving liberty to the petitioner to apply for a fresh electricity connection at the premises. In the event such an application is made, the Distribution Licensee

shall process and consider the same in accordance with law and give such connection to the petitioner subject to compliance of due formalities and if the petitioner is otherwise entitled to such connection in law.

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.)