

14th July,
2023
(AK)
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W.P.A. 15754 of 2023

Archana Mandal
Vs.
The Station Manager, Kakdwip Customer Care Centre,
WBSEDCL and others

Mr. Arindam Paul

...for the petitioners.

Mr. Susmita Chatterjee

...for the WBSEDCL.

Learned counsel for the petitioner contends that the petitioner is the owner of the property, in which the private respondent is residing temporarily.

Taking advantage of such temporary occupation, the private respondent has taken electricity connection in respect of the property without the consent of the petitioner.

It is argued that the petitioner gave a representation to the WBSEDCL on such score, but without any response from the said respondents.

Learned counsel for the WBSEDCL submits that the petitioner is the daughter-in-law of the private respondent.

That apart, the private respondent is in occupation of the premises and complied with all due formalities for getting such connection.

The grievance of the petitioner cannot be adjudicated before the writ court, since, even if there is a private dispute between the petitioner and the private respondent, the same has to be taken up before a competent civil court.

Insofar as the occupation of the private respondent no.4 is concerned, the petitioner admits that the respondent no.4 is in temporary occupation of the property.

Since the private respondent's occupation is not denied as such, there cannot be any occasion to rescind the grant of electricity connection to the respondent no.4.

However, the grant of electricity connection, simpliciter, shall not create any special right or equity in favour of the private respondent no.4, which the said private respondent does not otherwise have in law.

Hence, the petitioner cannot be aggrieved in any manner by such electricity connection on the scope of apprehension of disturbance of the title of the petitioner.

WPA 15754 of 2023 is disposed of by granting the petitioner liberty to approach the competent civil court with any personal grievance of civil nature against the private respondent no.4, if any.

It is, however, made clear that the electricity connection given to the private respondent no.4 shall be

without prejudice to the rights and contentions of the parties in such civil suit, if filed by the petitioner.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)