

AD-12
Ct No.09
16.11.2023
TN

WPA No. 23954 of 2023

Motiur Rahaman Laskar
Vs.
West Bengal State Electricity Distribution Co. Ltd.
and others

Mr. Soumyajit Ghosal,
Mr. Sk. Jafar

.... for the petitioner

Mr. Debanjan Mukherji

.... for the WBSEDCL

Mr. Md. Jalaluddin,
Mr. Syed Nasirul Hossain

.... for the respondent no. 5

1. Learned counsel for the petitioner submits that the petitioner has a strained relationship with his father, the private respondent. It is further submitted that previously, pursuant to an order of court, the petitioner was able to get a domestic connection at the premises and now seeks an industrial connection. It is also submitted that the father of the petitioner has already left the premises and there cannot be any impediment to give the connection to the petitioner because of the objection of his father, which is the sole reason cited by the electricity Distribution Licensee for refusing connection.

- 2.** Learned counsel for the private respondent contends that the private respondent has been ousted by his son, the petitioner, illegally from the premises despite having a trade licence and an industrial connection at the premises for which the private respondent has objected.
- 3.** Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) submits that he requires further instruction and contends that it is not possible technically to give two industrial connections at the same premises.
- 4.** The court does not, however, find any reason to give further time to the WBSEDCL to take instruction, since not a single technical reason has been given why two industrial connections cannot be given to the same premises. On the same logic that one industrial connection has already been given to the private respondent at the self-same premises, there is nothing to prevent the WBSEDCL to give another similar connection to the petitioner whose relationship is admittedly strained with the consumer of the existing industrial connection.
- 5.** Insofar as giving several connections to the same premises is concerned, there cannot be any

logical impediment there as well, since already WBSEDCL admits that at least one industrial connection in the name of the private respondent and one domestic connection of the petitioner are functioning at the self-same premises.

- 6.** Thus, the flimsy pretext on which the electricity connection is being refused cannot be entertained.
- 7.** Accordingly, WPA No. 23954 of 2023 is allowed, directing the WBSEDCL to immediately process the application for industrial connection of the petitioner and raise a quotation to that effect within a week from date. Upon compliance of all formalities by the petitioner including the payment of the quotation price, the WBSEDCL shall, within a week from compliance of such formalities, give such industrial connection to the petitioner at the premises-in-question. If any obstruction is raised by the private respondent and/or his men and agents, it will be open to the WBSEDCL authorities to approach the local police station for adequate police assistance which shall be given by the Officer-in-Charge/Inspector-in-Charge of the local police station by acting on a server copy of this order at the cost of the petitioner, if necessary by breaking

open any padlock or other hindrance if put up to prevent the WBSEDCL personnel to give such connection to the petitioner.

- 8.** It is made clear that the civil dispute between the petitioner and the private respondent have not been entered into on merits here and it will be open to the private respondent as well as the petitioner to canvass and agitate such disputes between themselves before a competent forum/court.
- 9.** There will be no order as to costs.
- 10.** 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.)