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11.12.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 25182 of 2023

Indian Safe
Vs.
The State of West Bengal & Ors.

Mr. Niladri Shekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal,
Ms. Labani Sikder
...for the petitioner

Ms. Sulagna Bhattacharya,
Mr. Rajsekhar Basu
...for the State

Ms. Gopa Roy
...for the WBSEDCL

1. Despite service, none appears for the private respondents at the time of call.
2. Affidavit of service filed in Court today be kept on record.
3. The grievance of the petitioner is that the petitioner sought for upgradation of an industrial electricity connection. Despite the petitioner having paid the quotation amount, due to resistance by the private respondents, the same could not be given by the West Bengal State Electricity Distribution Company Limited (WBSEDCL).

4. Learned counsel appearing for the WBSEDCL corroborates such contention and submits that the petitioner had been originally enjoying below 50KVA connection, which comes under the category of Low and Medium voltage. Now he wants an enhancement to LT-bulk connection.

5. Since the petitioner has already paid the necessary amount and the WBSEDCL complains that the transformer required for giving such upgradation cannot be installed despite having erected electric poles duly, due to resistance by the private respondents, the matter is required to be disposed of by granting leave to the WBSEDCL to take police assistance.

6. Accordingly, W.P.A. No. 25182 of 2023 is disposed of by directing the WBSEDCL to install the necessary transformer and give the upgradation to the petitioner in terms of the application of the petitioner at the earliest, positively within four weeks from date.

7. In the event any obstruction is raised by the private respondents and/or their men and agents in doing so, it will be open to the WBSEDCL to approach the local police station for police assistance in that regard.

8. If so approached, the Officer-in-Charge/Inspector-in-Charge of the concerned police station shall grant such assistance at the cost of the petitioner by acting on a server copy of this order without insisting upon prior production of a certified copy thereof in order to ensure that the WBSEDCL can smoothly install such transformer and take necessary steps for giving the necessary upgradation to the petitioner.

9. It is made clear that if the private respondents have further objections, it will be open to the private respondents to approach the concerned District Magistrate for adequate redressal of their grievances.

10. However, the said leave shall not, in any manner, operate as an impediment for the WBSEDCL to carry out the above direction by giving the upgradation to the petitioner at the earliest.

11. There will be no order as to costs.

12. 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.)