

AD-31
Ct No.09
22.12.2023
TN

WPA No. 26021 of 2023

Sarika Sarmin
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Md. Kutubuddin

.... for the petitioner

Mr. Sumit Ray

.... for the WBSEDCL

- 1.** Learned counsel for the petitioner argues that the petitioner applied for an electricity connection to operate his submersible pump. However, the same has not yet been given by the West Bengal State Electricity Distribution Company Limited (WBSEDCL).
- 2.** Learned counsel for the WBSEDCL submits that the reason for not being able to give the connection was informed to the petitioner in writing and has been annexed to the writ petition. The petitioner, it is submitted, has failed to provide way leave certificates from the adjacent owners over whose lands the connection has to be taken and poles may have to be erected.

- 3.** The Works of Licensees Rules, 2006 (for short “the 2006 Rules”) provides that in the event an application for electricity supply is made, the Distribution Licensee has to give the connection subject to compliance of formalities. However, if there is any impediment in doing so, the licensee has to approach the concerned District Magistrate or the Commissioner of Police, as the case may be, for obtaining due permission for doing so. In the event such permission cannot be obtained, the 2006 Rules provide the further remedy before the concerned parties.
- 4.** As such, WPA No. 26021 of 2023 is disposed of by directing the WBSEDCL to give the electricity connection to the petitioner, subject to the petitioner complying with all formalities, within a month from date. In the event any impediment is faced by the WBSEDCL in doing so, it will be open to the WBSEDCL to approach the concerned District Magistrate and/or Commissioner of Police, as the case may be, for due permission under the provisions of the Works of Licensees Rules, 2006 for giving such connection to the petitioner.
- 5.** It is made clear that this order is not creating any special right or equity in favour of the petitioner

but is being passed only to facilitate the petitioner getting electricity at his property to run his submersible pump to earn his livelihood.

- 6.** 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.)