

AD-22
Ct No.09
12.12.2023
TN

WPA No. 26279 of 2023

Bibhuti Pattandar
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Md. Kutubuddin

.... for the petitioner

Mr. Amitabh Shukla,
Mr. Prakash Ch. Pandey

.... for the WBSEDCL

- 1.** Learned counsel for the petitioner contends that the petitioner applied for electricity connection which has not been given by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) as yet despite the petitioner having so applied on September 11, 2023.
- 2.** Learned counsel appearing for the WBSEDCL contends that the writ petition is premature. It is argued that in terms of Clause 4 of Regulation 57 of the West Bengal Electricity Regulatory Commission (WBERC), in case of drawing LT/HT overhead line through paddy field, the time period be extended up to 180 days considering the season of cultivation. In the present case, keeping in view the season of cultivation and other corresponding factors, and since there is no

existing overhead line in the area, the time of 180 days is yet to expire.

- 3.** As such, it is reiterated that the writ petition is premature.
- 4.** A perusal of the concerned Regulation and the averments made in the writ petition vindicate the stand taken by the WBSEDCL. Since as yet only a small fraction of the outer limit of 180 days has elapsed since the application being made by the petitioner, the writ petition is undoubtedly premature.
- 5.** Hence, WPA No. 26279 of 2023 is dismissed as premature, without any order as to costs.
- 6.** However, the petitioner will be at liberty to prefer a fresh writ petition on the self-same cause of action in the event the WBSEDCL fails to adhere to the outer limit of 180 days in drawing the LT/HT overhead line through the paddy field for the purpose of giving electricity connection to the petitioner.

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.)