

16th February,
2023
(AK)
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W.P.A 27686 of 2022

Atanu Mondal
Vs.
The West Bengal State Electricity Distribution Company
Limited (WBSEDCL) and others

Mr. Samrat Choudhury
Mr. Anit Dey

...for the petitioner.

Mr. Sumit Ray

...for the WBSEDCL.

The report filed by learned counsel for the WBSEDCL today be kept on record.

It transpires from the same that the shifting of transformer sought by the petitioner, if effected, would affect adversely many other consumers of the locality, since they will then be facing low voltage problem.

That apart, the fact cannot be ignored that in the present case, admittedly for about 30-40 years before the petitioner taking objection to the transformer had remained installed in the land-in-question.

Heard learned counsel for the parties.

It is transparent that the petitioner sat tight over the matter for about 30-40 years as per his own admission and has now sought a shifting of the transformer for his own convenience.

However, keeping in balance the interest of the vast majority of the local people on the one hand and the interest of the petitioner on the other, it is not equitable or just to direct the Distribution Licensee to shift the transformer elsewhere at this juncture, since in the version of the Distribution Licensee, it is not technically feasible to do so..

In such view of the matter, there is no scope of giving any relief to the petitioner in the present writ petition.

Accordingly, WPA 27686 of 2022 is dismissed without any order as to costs by keeping the report filed today on record.

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

(Sabyasachi Bhattacharyya, J.)