

AD-18
Ct No.09
12.05.2023
TN

WPA No. 28990 of 2022
IA No: CAN 1 of 2023

M/s. Jana & Company
Vs.
West Bengal State Electricity Distribution Company
Ltd. and others

Mr. S. Basu,
Mr. R. Bhattacharya

.... for the petitioner

Ms. Suvasree Ghose

.... for the WBSEDCL

The supplementary affidavit-in-reply filed today
be kept on record.

A peculiar predicament has arisen in the
present case.

M/s. Jana & Company, the present writ
petitioner, is running a hotel in a particular premises,
where there is an existing DTR (transformer) from
which connection has been given to the hotel run by
M/s. Jana & Company. The said transformer is a 160
KVA DTR.

As it transpires from the written instructions
filed today in court by learned counsel for the West
Bengal State Electricity Distribution Company Limited
(WBSEDCL), the adjacent hotel, namely, hotel Beach

View has also got a transformer installed ,which is of 315 KVA.

The WBSEDCL allegedly proposed that electricity connections be given from the 315 KVA DTR installed within the precincts of hotel Beach View to both Beach View as well as the writ petitioner. However, it is contended by the WBSEDCL that the writ petitioner is objecting to the same. The WBSEDCL further contends that due to such objection of the petitioner, the connections both to M/s. Jana & Company (Marine park) and the adjacent Beach View hotel have been given from the existing 160 KVA DTR installed within the precincts of the writ petitioner's hotel.

There is no justification for such stand being taken by the WBSEDCL. Since from the penultimate paragraph of the written instruction filed today, which is kept on record, it is evident that a 315 KVA DTR has already been installed at the premises of hotel Beach View, there cannot be any reason why the electricity connection of Beach View should not be given from the said transformer itself, without disturbing the petitioner in any manner.

Insofar as the petitioner's enjoyment of electricity connection from the 160 KVA transformer installed within its own premises is concerned, there

is no reason for the WBSEDCL to disturb such ongoing arrangement.

Hence, WPA No. 28990 of 2022 is disposed of by restraining the WBSEDCL from disturbing the petitioner's electricity connection from the existing 160 KVA DTR installed within the premises of Marine park, which is run by the writ petitioner M/s. Jana & Company.

Insofar as the electricity connection of the adjacent hotel Beach View is concerned, the WBSEDCL shall make necessary arrangements, within three weeks from date, to give the connection of the said adjacent hotel from the transformer situated within its own premises, which is of the strength 315 KVA.

Immediately such connection being given, the present connection given to the premises of hotel Beach View from the petitioner's transformer will be disconnected.

It is made clear that the time frame given in the above direction is mandatory and shall be strictly complied with by the WBSEDCL, if necessary by acting on a server copy of this order, without insisting upon prior production of a certified copy thereof.

IA No: CAN 1 of 2023 is accordingly disposed of as well.

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.)