

30.11.2023  
Sl. No.1(SL)  
srm

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
APPELLATE SIDE**

W.P.A. No. 2498 of 2023

Smt. Mani Dey @ Bakul Paul

Versus

The State of West Bengal & Ors.

Mr. Rajes Kumar Sharma,  
Mr. Janardan Periwal

....for the Petitioner.

Mr. Sudipta Kumar Bhowmik,  
Mr. Anirban Banerjee,  
Ms. Dipti Bhowmik

.....for WBSEDCL.

Mr. Subir Kumar Saha,  
Mr. Sourav Sarkar

...for the State-respondents.

This Court, by an order dated November 16, 2023 had directed that the matter should appear on November 29, 2023 at the Top. Due to some mistake, the matter has gone out of the list. The matter was mentioned. The matter relates to grant of electricity connection to the petitioner, on an urgent basis. The Court directed that a supplementary list be prepared. Accordingly, the supplementary list has been prepared and published.

The petitioner is aggrieved by a communication dated September 26, 2023 issued by the Assessing Officer and Station Manager, NJP Gate Bazar, Customer Care Centre. By the said letter, the petitioner's application for grant of new electricity connection was withheld by the authority on the ground that the petitioner had not produced any land document.

The petitioner contended before this Court that the land document was in the possession of her brother. The petitioner claims that she also has a share in the property. It is stated that the petitioner's son and daughter-in-law are in occupation of the said premises since long. The petitioner claims the property through inheritance.

This Court was of the view that irrespective of who was in possession of the land document, if the petitioner or the petitioner's family members were found in occupation of the premises in question, the electricity authorities were bound to supply electric connection upon compliance of other statutory formalities by the petitioner.

Pursuant to the earlier direction of this Court, a joint inspection was held on November 24, 2023 in respect to the premises in question. The report has been filed before this Court, which indicates that the respondent No.6 was not present, at the time of inspection. The

petitioner was found present and it was also seen that her family members were residing in the premises in question.

Mr. Banerjee, learned Advocate for the WBSEDCL submits that initially the authorities had asked for the papers from the petitioner, with regard to her occupation. The inspection revealed that the family members of the petitioner were residing in the said premises.

Under such circumstances, this Court directs that if the petitioner applies under the prescribed format and complies with the requisite formalities, separate electric connection should be given to the petitioner in the premises in question, in accordance with law, within a period of three months from compliance. All necessary payments shall be made by the petitioner.

This order shall not be construed as an opinion of the Court with regard to the right, title and interest of the petitioner or her family members in the property in question. No equity will be claimed. This order is only an order for supply of electric connection to persons in occupation of the premises in question.

The joint inspection report is taken on record.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server  
copy of this order.

**(Shampa Sarkar, J.)**