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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 292 of 2024

Aswini Kumar Adak
Vs.
The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Balaram Pandit,
Mr. Krishna Deo Das
...for the petitioner

Ms. Rituparna Maitra
...for the WBSEDCL

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel appearing for the petitioner contends that despite several representations, the West Bengal State Electricity Distribution Company Limited (WBSEDCL) is seeking to install electricity poles on the land of the petitioner for giving electricity connection to the private respondent. The representations are annexed to the writ petition.
3. Learned counsel appearing for the WBSEDCL denies that the private respondent has even made any application as yet for getting electricity connection. As such, it is argued that there is no question of the WBSEDCL committing the acts as alleged in the writ petition.
4. In any event, law permits the Distribution Licensee to lay connections or equipment over

lands upon resorting to the appropriate provisions of law.

5. Accordingly, W.P.A. No. 292 of 2024 is disposed of by granting liberty to the WBSEDCL, if the WBSEDCL receives any application from any third party and/or the private respondent for giving electricity connection which requires poles to be installed on the petitioner's land, to approach the concerned District Magistrate or Commissioner of Police, as the case may be, as stipulated in Rule 3 of the Works of Licensees Rules, 2006 and take recourse to the said provisions in such case.

6. There will be no order as to costs.

7. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)