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07.03.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 300 of 2024

Samir Sarkar

Vs.

The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Pradipta Siddantha,
Mr. Subham Saha
...for the petitioner

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee
...for the WBSEDCL

1. Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) files a report inter alia annexing a photograph, which shows that the pump-in-question is not a submersible pump but a centrifugal pump, which is situated in the midst of a paddy field where cultivation is obviously going on.
2. Let the report be kept on record.
3. Learned counsel for the WBSEDCL submits that as per the extant regulations, an outer limit of 180 days has been stipulated for giving connection in such cases where cultivation is going on.
4. There is substance in the contentions of the WBSEDCL.
5. Balancing the provisions of the Regulations with the right of the petitioner to get an electricity

connection, ample time ought to be given to the WBSEDCL to give such connection to the petitioner, more so, since according to the WBSEDCL, five electricity poles have to be installed for giving such connection which have to be installed over paddy fields.

6. In such view of the matter, W.P.A. No. 300 of 2024 is disposed of by directing the WBSEDCL to give electricity connection to the petitioner within two months from date, or earlier in the event the cultivation on the adjoining paddy field is over before such period, subject to compliance of all formalities by the petitioner.

7. If even after two months, the WBSEDCL faces any hindrance in doing so, the WBSEDCL will be at liberty to approach the concerned District Magistrate/Commissioner of Police, as the case may be, under Rule 3 of the Works of Licensees Rules, 2006 and take immediate steps under the said Rules for giving such connection to the petitioner.

8. There will be no order as to costs.

9. 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.)