

AD-26
Ct No.09
21.02.2024
TN

WPA No. 413 of 2024

Surajit Khanra
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Amitava Paine,
Mr. Vivek Kumar Tripathi,
Mr. Partha Pratim Mukhopadhyay
.... for the petitioner

Mr. Kanak Kiran Bandyopadhyay
.... for the WBSEDCL

1. The petitioner applied for electricity connection but could not get the same due to local resistance. An order was obtained from a coordinate Bench as long back as in the year 2012 directing the West Bengal State Electricity Distribution Company Limited (WBSEDCL) to give such connection with police help at the cost of the petitioner. Due to financial stringency, the petitioner could not put in such cost for which the connection could not be given.
2. Recently, the petitioner has been able to gather the money and deposit the police help costs. However, on July 12, 2023, the WBSEDCL intimated the petitioner that due to intervening circumstances in the meantime, as long years have passed after the initial order was passed,

namely that a temple has been built leaving no space for pole erection, the only feasible path available is the one used by the petitioner to access premises which belongs to a third party from whom clearance is required. Alternatively, the WBSEDCL has also suggested that a pole can be erected over private land with the intervention of the local authorities which can be done after adjudication of the matter under Rule 3(1)(b) of the Works of Licensees Rules, 2006 by a competent authority. By the said letter, the WBSEDCL also agreed to refer the matter to the District Magistrate, who is the competent authority.

- 3.** The petitioner seeks such reference to be made.
- 4.** Learned counsel for the WBSEDCL, on instructions, submits that such reference has already made soon after the said communication, that is, on July 24, 2023.
- 5.** In such view of the matter, the immediate grievance raised by the petitioner in the writ petition is resolved. However, since the petitioner does not have particulars of such reference, the petitioner would not be in a position to appear in the said proceeding.
- 6.** Accordingly, WPA No. 413 of 2024 is disposed of by directing the WBSEDCL, through its learned

counsel, to intimate to the petitioner and/or his counsel in this court in writing the particulars of the reference, including the date and other details, to enable the petitioner to participate there, within a week from date.

- 7.** It is expected that the concerned District Magistrate shall dispose of the matter, if not already decided, as expeditiously as possible, preferably within a month from the date of communication of this order to the District Magistrate.
- 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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)