

D/L. 18.
February 28, 2024.
MNS.

WPA No. 1370 of 2024

Sefali Sarkar
Vs.
West Bengal State Electricity Distribution
Company Limited and others

Mr. Shibaji Kumar Das

... for the petitioner.

Mr. Sankar Banerjee

...for the WBSEDCL.

1. Learned counsel for the petitioner submits that the petitioner complied with all due formalities and upon furnishing proof of occupation of the petitioner in the concerned property, applied for electricity connection. However, the WBSEDCL could not hold inspection due to resistance put up by the private respondents, who, according to the petitioner, are neighbours.
2. Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) submits that the WBSEDCL

attempted at least on two occasions to visit the locale for inspection, but failed due to stiff resistance by the private respondents and/or their men and agents.

3. The Aadhaar Card, extracts from land records and building permit etc. annexed to the writ petition go on to show that the petitioner is in settled possession of the property and as such entitled to electricity connection under Section 43 of the Electricity Act, 2003.
4. In the present case, even the WBSEDCL is of the same opinion and is otherwise willing to give such connection, but could not do so due to the obstruction created by the private respondents and/or their men and agents.
5. Since the private respondents choose not to appear despite service, the matter is being decided in their absence. Affidavit-of-service filed in Court today be kept on record.
6. In the light of the above observations, WPA No. 1370 of 2024 is allowed, thereby directing the WBSEDCL to hold an inspection for the purpose of giving electricity connection to the petitioner and thereafter to give such connection to the petitioner.

7. The inspection shall be held within a week from date and thereafter, subject to the petitioner having complied with all formalities, the electricity connection shall be given to the petitioner within one week thereafter.
8. If on either of the occasions, at the time of inspection and/or at the time of giving such connection, any resistance is faced by the WBSEDCL personnel from the private respondents and/or their men and agents, the WBSEDCL shall approach the respondent no. 3, the Inspector-in-Charge, Bizpore Police Station, for adequate police assistance, who shall grant such police assistance at the cost of the petitioner on both such occasions.
9. The police authorities will be at liberty to remove any hindrance or other obstruction, if put up to prevent the WBSEDCL personnel in conducting such inspection or giving the connection to the petitioner on both the said occasions.
10. The parties shall act on the server copy of this order without insisting upon prior production of certified copy thereof.
11. There will be no order as to costs.

12. 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.)