

28th February,
2024
(AK)
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W.P.A 1472 of 2024

Bimal Mudi
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Kutubuddin
...for the petitioner.

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

1. Affidavit-of-service filed in court today be kept on record.
2. The petitioner's grievance is that the petitioner's application for electricity connection to run his submersible pump has been rejected by the WBSEDCL.
3. Learned counsel for the WBSEDCL hands over two communications dated January 10 and February 27, 2024 made to the petitioner.
4. Initially, there was an outright rejection on the ground that the petitioner did not furnish 'Way Leave Certificate', which was clarified by the latter communication indicating that if the petitioner furnishes 'Way Leave Certificate', the connection will be given to the petitioner.

5. Learned counsel for the WBSEDCL submits further that at present mustard cultivation is going on in the immediately adjacent fields to the petitioner's plot, for which the electricity poles necessary to give the connection cannot be installed immediately.
6. Upon hearing learned counsel for the parties, it is taken note of that 180 days is the outer limit in conditions such as the present where cultivation is going on in the immediate vicinity, for the Distribution Licensee to give connection to an applicant.
7. Insofar as 'Way Leave Certificate' is concerned, it may be difficult for the petitioner to gather 'Way Leave Certificate' from all the adjacent plot owners, for which the remedy is for the WBSEDCL to take resort to Rule 3 of the Works of Licensees Rules, 2006, if any resistance is faced.
8. Keeping in view the above contentions of the parties, WPA 1472 of 2024 is disposed of by directing the WBSEDCL to give electricity connection to the petitioner immediately after the conclusion of the ongoing cultivation season in the area where the petitioner's submersible pump is located, in no case beyond two months from date.
9. In the event any obstruction is faced in doing so, the WBSEDCL shall take recourse to Rule 3 of the

2006 Rules and take appropriate action in that regard.

10. There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)