

Ct. 09
Item No.21
22.03.2024
(Suvendu)

**CPAN 226 OF 2024
IN
WPA 26021 of 2023**

**Sarika Sarmin
Vs.
Mr. Raruk Sk.**

Mr. Md. Kutubuddin
.....for the petitioner

Mr. Sumit Roy
.....for the alleged contemnor

1. Learned advocate for the petitioner submits that the order of this Court has not been complied with since no electricity connection has yet been given to the petitioner.

2. Learned counsel for the alleged contemnor submits that in due deference to the order of this Court, the WBSEDCL raised a quotation and thereafter took due steps to give such connection upon compliance of formalities by the petitioner.

3. However, thereafter the connection could not be given due to resistance put up at the locality.

4. Accordingly, the WBSEDCL informed the matter to the police authorities and have

ultimately referred the dispute to the concerned District Magistrate.

5. It transpires from the order under contempt that the purport of the order was for the WBSEDCL to give such connection to the petitioner and in the event of any impediment, to take recourse to the provisions of the Works of Licensees Rules, 2006. The WBSEDCL, having faced such impediment, have approached the concerned District Magistrate in terms of Rule 3 of the 2006 Rules, thereby complying with the order of this Court.

6. As the matter is now sub judice before the District Magistrate, it cannot be said that the WBSEDCL is guilty of contempt of Court, having taken the recourse as permitted in the order under contempt.

7. Hence, I do not find any instance of contumacious act on the part of the alleged contemnor.

8. Accordingly, CPAN 226 of 2024 is disposed of in the light of the above observations.

(Sabyasachi Bhattacharyya, J.)