

25.06.2024
Ct. No. 09
Item 36
Cp

WPA No. 4439 of 2024

Raju Nayek
Vs.
The West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Sukumar Ghosh
Mrs. Moumita Ghosh

..... for the petitioner.

Mr. Dr. Madhusudan Saha Roy

.....for the WBSEDCL.

1. The petitioner alleges that the authorities of Madpur Customer Care Centre had failed and neglected to provide new service connection to the petitioner's submersible pump. The authorities wrote a letter to the petitioner indicating that the meter room had not been constructed and there was huge outstanding due from the erstwhile consumer, namely, Banshilal Patra, against whom an FIR had been lodged for unauthorized use of electricity.
2. On account of the petitioner being the relative of the said Banshilal Patra, and upon the petitioner coming into possession of the land in respect of which there are outstanding dues from his relative, the authority found nexus between the petitioner and the said Banshilal Patra, and refused to grant connection.

3. Mr. Saha Roy, learned advocate appearing for the WBSEDCL, submits that time and again, the petitioner was asked to satisfy the authorities that he did not have any nexus with the erstwhile owner, i.e., Banshilal Patra, but he failed to do so.
4. Under such circumstances, the writ petition is disposed of with a direction upon the Assistant Engineer & Station Manager, Madpur Customer Care Centre to treat the writ petition as a representation of the petitioner and dispose of the same in accordance with law, upon hearing the petitioner, the said Banshilal Patra, if he is available, and upon requesting the officer-in-charge of the concerned police station to enquire as to whether the petitioner and Banshilal Patra were relatives or whether there was any connection between the two and also how the petitioner had come into possession of the property in question. Upon the police authority furnishing a report to that extent, the matter shall be decided and disposed of.
5. A reasoned order shall be passed and communicated to the parties.
6. If it is found that there is no nexus, appropriate steps shall be taken by the authority for grant of new connection, in accordance with law.

7. The entire exercise shall be completed within a period of four months from the date of communication of this order.
8. The writ petition is accordingly disposed of. There shall be no order as to costs.
9. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)