

15-07-2024
Item No.133
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.7600 of 2024
Sushil Parui

-vs-

**The West Bengal State Electricity Distribution Company
Limited & Ors.**

Mr. Tanmoy Chowdhury
Mr. Ritobrato Ghosh ...for the petitioner

Mr. Amitabh Shukla
Mr. Prakash Ch Pandey ...for WBSEDCL

Mr. Nilratan Banerjee ...for respondent no.4

The writ petition has been filed challenging a communication dated February 6, 2024 made by the Divisional Manager, Arambagh Division to the Executive Magistrate, Arambagh Sub-Division.

The contention of the petitioner is that electric connection to his submersible pump had been disconnected and in his place, his brother Susanta Parui had been granted the connection. The WBSEDCL had, inter alia, stated that connection was given to Sushanta Parui, but the supply line of Sushil Parui had not been disconnected by the authority. The line was alive. A separate supply line had been granted to the submersible pump of Susanta Parui on his land, without disturbing the connection of Susil Parui.

As the petitioner disputed such fact, this court vide order dated June 28, 2024 directed the concerned authority to produce records.

A report has been filed which indicates that connection to Sushanta Parui had been granted on his own land. Connection to consumer ID No.164189027 had not been disconnected from the end of the distribution company. Such connection was alive. Susanta Parui was granted connection on December 8, 2023. Electric bill was raised in respect of Sushil Parui's connection for the period December 6, 2023 and January 4, 2024. 164 units had been consumed by Sushil Parui even after grant of electric connection to Susanta Parui. The BLLRO and the Revenue Inspector of the concerned Gram Panchayat had submitted a report in the proceeding before the Executive Magistrate, inter alia, stating that Susanta Parui had got a separate mini deep tubewell which had been installed at his own costs and on his own land.

Thus, the writ petition is disposed of on the submissions and the records filed by the WBSEDCL.

Disputed questions of fact cannot be gone into.

It is made clear that unless the petitioner defaults in payment of electricity charges or commits any other offence under the Electricity Act, 2003, the connection of the petitioner shall remain alive from the end of the WBSEDCL and bills will be raised as per consumption.

Certified copy of this order, if applied for, shall be made available to the parties.

[Shampa Sarkar, J]

