

7th May,
2024
(AK)
08

W.P.A 8918 of 2024

Mhamuda Bibi
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Subrata Karmakar
Mr. Md. Ali Ahasan

...for the petitioner.

Mr. Debanjan Mukherjee

...for the WBSEDCL.

1. A report is filed by learned counsel for the WBSEDCL as per previous direction.
2. A copy thereof has been served yesterday on the learned Advocate for the petitioner.
3. Learned counsel for the WBSEDCL submits that a provisional order of assessment was made which culminated in a final order to the tune of Rs.25,707/- within the contemplation of Section 126 of the Electricity Act, 2003 regarding the same premises where the electricity is now sought.
4. Hence, the petitioner, it is submitted, is required to clear such amount before getting electricity.
5. That apart, the report contains a sketch map which indicates the proposed location of three electricity poles which will be required to be installed for giving the connection to the petitioner.

6. Such poles are proposed to be installed on public property requiring no 'Way Leave' permission from any individual.
7. Accordingly, WPA 8918 of 2024 is disposed of by granting the petitioner leave to challenge the final assessment order if the petitioner so chooses.
8. In such event, only after the outcome of the same comes out, the petitioner shall be entitled to get electricity connection at the premises subject to such outcome.
9. In the event, however, the petitioner decides to accede to such claim of the WBSEDCL and pay the finally assessed amount, upon such payment being made along with the compliance of other formalities and due payments according to the quotation of the WBSEDCL, the WBSEDCL shall give such connection to the petitioner, preferably within six weeks from the date of compliance of such formalities, if necessary, by taking recourse to Rule 3 of the Works of Licensees Rules, 2006 while doing so.
10. In the event police protection is required for doing so, it will be open to the WBSEDCL to approach the respondent no.3, the Officer-in-Charge of the Raghunathganj Police Station for such assistance to give such connection to the petitioner.

11. If so approached, the police shall give protection to the WBSEDCL at the cost of the petitioner.
12. There will be no order as to costs.
13. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)