

08.07.2024  
Ct. No. 09  
Item No.73  
Cp

WPA No. 9199 of 2024

Dulal Hossain

Vs.

The West Bengal State Electricity Distribution Co. Ltd. & ors.

Mr. U. A. Dewan

Mr. Arup Sarkar

....for the petitioner.

Mr. Amitabh Shukla

Mr. P. C. Pandey

.....for the WBSEDCL.

Mr. Anand Farmania

Ms. Andria Bose

.....for the State.

Affidavit of service is taken on record.

None appears on behalf of the respondent nos.  
5 and 6.

As no mandatory directions are being passed,  
the writ petition is disposed of in the absence of  
respondent nos. 5 and 6.

It is submitted by the distribution company  
that the respondent nos. 5 and 6 have not yet been  
given the connection. The Divisional Engineer and  
Station Manager, Sagardighi has written a letter dated  
April 19, 2024 indicating that the connection could  
not be supplied to them as the techno economic  
feasibility did not permit grant of such connection.

Mr. Dewan, learned advocate for the petitioner, submits that the said respondent nos. 5 and 6 were trying to take connection through the petitioner's land by misleading the authorities.

In my view, this disputed question of fact cannot be adjudicated by a writ court. Thus, the writ petition is disposed of directing the Divisional Engineer and Station Manager, Sagardighi Customer Care Centre to treat the writ petition as a representation and dispose of the same by passing a reasoned order, upon hearing the petitioner as also the respondent nos. 5 and 6.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

All parties are to act on the basis of server copy of this order.

**(Shampa Sarkar, J.)**