

16.05.2024
Item No.21
gd/ssd

MAT/621/2024
IA NO: CAN/1/2024
MADHUBALA AGARWAL AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Dipendra Nath Bose,
Mr. Supriya Ranjan Ghosh
..for the Appellants.

Mr. Amritam Mandal,
Ms. Swati Agarwal,
Ms. Anusha Nayek
..for the Respondent/Writ
Petitioner.

Mr. Srijan Nayak,
Ms. Rituparna Maitra
..for WBSEDCL.

1. This intra court appeal by the private respondents is directed against the order dated 5th March, 2024 in WPA 2202 of 2024 by which a direction has been issued to the Electricity Distribution Company to grant separate electricity connection to the writ petitioner upon compliance of the requisite formalities.

2. As of now the order and direction issued by the learned writ court has been implemented and connection has been given.

3. The learned Single Bench rightly took note of Section 43 of the Electricity Act, 2003 while granting the relief.

4. That apart the learned Single Bench has noted that there are civil disputes between the parties. Criminal cases are also being registered.

5. Thus, considering the fact that the statute provides for such a remedy to the writ petitioner, the learned Single Bench was rightly granted the relief to the writ petitioner.

6. However, it is made clear that by virtue of the grant of electricity by way of a separate connection to the writ petitioner will not in any manner affect the contentions raised by the appellants in the civil suit.

7. Accordingly, the appeal is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)