

Item No.81
08.07.2024
Court. No. 9
GB

W.P.A. 9578 of 2024

Sri Rishikesh Prasad
Vs.
The State of West Bengal & Ors.

Mr. Prasenjit Debnath,
Ms. Pritha Biswas

...for the Petitioner.

Mr. Debjit Mukherjee

...for the WBSEDCL.

Md. Mahmud

...for the Respondent Nos.6 to 9.

Affidavit-of-service filed in Court today, is taken on record.

The writ petition is disposed of with a direction upon the West Bengal State Electricity Distribution Company Limited as also the concerned Block Land and Land Reforms Officer to make a joint inspection in presence of the petitioner and the respondent nos.6 to 9 in order to identify and demarcate the property of the petitioner in respect of which connection has been prayed for.

The petitioner relies on a sale deed which has a map and the same indicates that the said property is separated from the one in occupation of the respondent nos.6 to 9.

The learned advocate for the West Bengal State Electricity Distribution Company Limited contends before this Court that when they went to install a pole for the purpose of grant of connection to the petitioner, the respondent nos.6 to 9 resisted and claimed ownership. Thus, the electricity distribution company returned without installing the pole.

During the course of inspection, if the respondent nos.6 to 9 produce any title deed in respect of the premises involved in this litigation, the authority shall dispose of the matter by indicating to the petitioner the reasons as to why connection cannot be granted in respect of L.R. Dag No.1086 under L.R. Khatian No.3341 of Mouza - Naldanga. The authority will also ascertain whether any connection at all can be given in respect of the structure, that is, lying on the said land. However, if the property/premises is separate and the inspection reveals so and the respondent Nos.6 to 9 cannot provide any deed of title in respect of any of the properties, connection shall be granted subject to compliance of necessary formalities.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)