

12.08.2024
Sl. No. 73
g.b.
Court No.09

WPA 10022 of 2024

Shyamal Sena @ Shyamal Kshabchandra Sena
-Vs-
The W. B. S. E. D. C. Limited & Ors.

Mr. D. N. Chatterjee
Mr. Subhas Ch. Saha
.....For the Petitioner
Mr. Debanjan Mukherjee
.....For the WBSEDCL
Mr. Bidhayak Lahiri
Ms. Bhaswati Lahiri
.....For the Respondent Nos. 5 and 6

Pursuant to the inspection held as per the direction of this court, the AE & Station Manager, Kolaghat Customer Care Centre has submitted a report.

The petitioner prays for removal of the supply line of the respondent Nos.5 and 6, on the ground that the same passed through the petitioner's land.

It appears that the petitioner was not present during such inspection, despite orders of this court. The order was passed in the presence of the learned advocate for the petitioner.

The connection to Smt. Radharani Bera was granted through a passage on 25th March, 2019, of which the respondents claim to be the owner. The property was allegedly purchased by the husband of the respondent no.6 and the connection goes through a brick-built path by the side of the land of the petitioner.

There is a dispute with regard to the title over the strip of land through which the connection has been granted to the respondent nos. 5 and 6. Moreover, the connection was granted in 2019 and the petitioner has raised this dispute at such a belated stage.

The petitioner claims title, whereas it is submitted that one Sanjay Bera purchased the land some time in

1998-1999. This dispute cannot be resolved by the writ petition. The petitioner's remedy is before a civil court.

The West Bengal State Electricity Distribution Company Limited also cannot be directed to remove the service line without a specific finding by an appropriate court that the land belongs to the petitioner.

The writ petition stands disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this Hon'ble Court.

(Shampa Sarkar, J.)