

D/L. 23.
May 14, 2024.
MNS.

WPA No. 12996 of 2024

Sangita Singha
Vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Palash Bapari

... for the petitioner.

Mr. Amitabh Shukla

...for the WBSEDCL.

1. Affidavit-of-service filed in Court today be kept on record.
2. The petitioner sought for electricity connection at the premises where the petitioner is allegedly residing. The West Bengal State Electricity Distribution Company Limited (WBSEDCL) raised quotation and the petitioner complied with the formalities, but connection was not given on the ground of “pendency of court case and legal obligation lying over the premises”.
3. Learned counsel appearing for the WBSEDCL hands over a copy of an Advocate’s letter, which indicates that a civil suit is pending.

4. However, learned counsel for the petitioner contends that the petitioner is not a party to the said civil suit.
5. It transpires from the written communication handed over in Court today by the WBSEDCL that even in the said communication, made by a learned Advocate, the petitioner has not been represented as a defendant, but it has only been alleged that the defendant nos. 8 to 15 in the said suit along with the petitioner, with the instigation of defendant nos. 5 and 6, tried to take electricity connection over the schedule mentioned property.
6. Neither is the petitioner a party to the said suit even as per said communication nor does the communication mention any restraint order passed by the civil court, let alone against the petitioner.
7. Hence, there cannot be any reason for the WBSEDCL to hold its hands, more so since the petitioner has complied with the formalities on the offer letter by the WBSEDCL.
8. In such view of the matter, WPA No. 12996 of 2024 is allowed, thereby directing the WBSEDCL to give electricity connection to the

petitioner within a fortnight from date at the existing meter board position at the premises.

9. If any resistance is faced from any quarter, it will be open to the WBSEDCL personnel to approach the respondent no. 4, that is, the Officer-in-Charge, Balagarh Police Station, who, acting on the server copy of this order and at the cost of the petitioner, will provide adequate police assistance, if necessary, removing any padlock or other hindrance, if need be, to give access to the WBSEDCL personnel for such purpose.
10. It is made clear that the said electricity connection or any of the observations above shall not create any special right or equity in favour of the petitioner to which the petitioner is otherwise not entitled in law.
11. The written communication handed over in Court today be kept on record.
12. There will be no order as to costs.
13. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)