

Court No. 9
(265711)

WPA 13757 of 2024

02.09.2024

(A 90)

(S. Banerjee)

Dildar Hossain

Vs.

The West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
Ms. Tapati Saha

Dr. Madhusudan Saha Roy

...for the petitioner

...for the WBSEDCL

The petitioner shall pay the outstanding dues on pro rata basis which is lying unpaid in the name of his father. The amount shall be disclosed to the petitioner by the authorities. New connection shall be given to the petitioner in accordance with law, upon compliance of all other formalities. The total unpaid due appears to be Rs. 2,71,525/- and three persons have allegedly applied for connection, all of whom have a nexus with the erstwhile consumer Late Sahadat Hossain, the father of the present petitioner.

However, the other issue which has been raised by the respondent is that villagers have been objecting to grant of electricity connection to the petitioner as poles have to be installed on some of the lands.

This issue cannot be decided either by the authorities or by this Court. In the event any resistance is faced from other persons during the drawal of the lines claiming to have right title and interest over the land through which the poles are to be installed or connection is to be drawn, the Station Manager, Sagardighi Customer Care Centre shall refer the matter to the concerned District Magistrate for disposal of the same under the Work of Licensees Rules and the District Magistrate shall grant a hearing to all the parties, including the objectors whose names shall be disclosed to the District Magistrate. Upon such hearing, the District Magistrate shall pass a reasoned order. Needless to mention, inspection shall be held in the presence of all the parties. The assistance of the Block Land and Land Reforms Officer will be taken if there is a requirement to demarcate and identify the route and ascertain the ownership of the plots in question. All parties shall be allowed to file written, objections and adduce evidence. A reasoned order shall be passed and communicated within four months from the date of receipt of the documents by the Station Manager. The Station Manager in turn, shall transmit all documents if the situation so arises within three weeks from the date of communication of this order.

The writ petition is disposed of.

All parties to act on a server copy of this order.

(Shampa Sarkar)