

AD-18
Ct No.09
24.05.2024
TN

WPA No. 14279 of 2024

Sekh Mahammad
Vs.
The State of West Bengal and others

Mr. Joyjit Roy Choudhury
.... for the petitioner

Ms. Jhuma Chakraborty, Ld. Sr. Govt. Adv.,
Ms. Arpita Mondal Adak
.... for the State

Mr. Debjit Mukherjee
.... for the WBSEDCL

- 1.** Learned counsel for the petitioner submits that due to resistance of the private respondent, the electricity connection sought by the petitioner could not be given by the distribution licensee.
- 2.** Learned counsel for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) supports such contention and submits that despite three attempts, the connection could not be given due to obstruction raised by the private respondent.
- 3.** Since the private respondent chooses to abstain from hearing despite service, keeping on record the affidavit-of-service, the matter is taken up for disposal.
- 4.** As the petitioner is in occupation of the property and is entitled to electricity connection under Section 43 of the Electricity Act, 2003, there cannot be any impediment in giving such connection to the petitioner; more so, since

the petitioner has already complied with all formalities and inspection has been held by the WBSEDCL.

- 5.** Accordingly, WPA No. 14279 of 2024 is disposed of by directing the WBSEDCL to give electricity connection to the petitioner within a fortnight from date. If any obstruction is raised by the respondent no. 6 and/or her men and agents while doing so, the WBSEDCL personnel shall approach the local police station for adequate assistance in that regard. If such an approach is made, the Officer-in-Charge/Inspector-in-Charge (as applicable) of the said police station shall, acting on a server copy of this order and at the cost of the petitioner, give such assistance to the WBSEDCL personnel to ensure that the electricity connection is given to the petitioner. If need be, it will be open to the police to break open or remove any padlock or other hindrance, if put up to obstruct the WBSEDCL personnel, for such limited purpose.
- 6.** There will be no order as to costs.
- 7.** 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.)