

Item No.277
23.09.2024
Court. No. 9
GB

W.P.A. 14657 of 2024

Pankaj Kumar Roy
Vs.
The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Madhu Jana,
Mr. Golam Zaky

...for the Petitioner.

Ms. Susmita Chatterjee

...for the WBSEDCL.

Mr. Ranjit Rajak

...for the State.

Mr. Rahul Agarwala

...for the Respondent No.5.

1. The writ petition has been filed by one of the flat owners seeking grant of new connection. The promoter is also before this Court who submits that a place has been identified which belongs to the Midnapore municipality, for installation of such transformer.
2. On the last occasion, this Court had directed an inspection by the Station Manager, Midnapore Customer Care Centre, in the presence of a representative from the office of the concerned Sub-Divisional Officer.
3. It appears that the inspection was held on September 20, 2024 in presence of the surveyor of the Midnapore municipality, a senior official of the Midnapore Sub-Divisional Office, the petitioner, the developer and two officials of the Midnapore Customer Care Centre. The officials of the Midnapore municipality communicated that the land belongs to the municipality and the

Chairman of the municipality had strictly instructed the surveyor that the municipality was not in a position to handover the land in favour of the Central Plaza Apartment, Gate Bazar, Midnapore. Thus, the Station Manager expressed his inability to identify the land on which the transformer could be installed. The petitioner and the developer were permitted to show an alternative land.

4. Under such circumstances, this Court is not in a position to direct the Midnapore Customer Care Centre to install a transformer on the municipal land. The developer and the petitioner vehemently submit that they have been assured by the office of the Sub-Divisional Officer that land would be given to them to enable the installation of the transformer.
5. Under such circumstances, the writ petition is disposed of.
6. The petitioner and the developer shall approach the Sub-Divisional Officer and the municipality with a request for identification or allotment of any land on which the transformer can be installed and explore the possibility of installing the same in any area where transformers may have been installed for providing connection to the other neighbouring buildings and apartments.

7. If the authorities are unable to provide electricity by installing a transformer, in that event the developer may pray for refund of the amount deposited.
8. Accordingly, the writ petition is disposed of.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)