

Item No.8
19.08.2024
Court. No. 9
GB

W.P.A. 19096 of 2024

Habu Sk.

Vs.

The West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Subhasish Bhattacharya,
Mr. Probal Sarkar

...for the Petitioner.

Mr. Supriyo Chattopadhyay

...for the WBSEDCL.

Affidavit-of-service filed in Court today, is taken on record.

The West Bengal State Electricity Distribution Company Limited is directed to treat the writ petition as a representation of the petitioner and pass a reasoned order upon inspection of the site.

It is contended by the distribution company that the petitioner suppressed a letter by which the petitioner had agreed to pay the transformer cost. Accordingly, quotation of Rs.51,136/- was sent to the petitioner. The said cost was being claimed from the petitioner as the petitioner wanted to shift the submersible pump to another spot. In fact the petitioner had already shifted the pump. For grant of new connection to the changed site, a transformer is required to be commissioned. At present, the authorities do not have a workable transformer from which the connection can be given to the petitioner. The earlier connection was given to the petitioner on the basis of the petitioner's application, but the petitioner was not

satisfied, due to fluctuation of the voltage. The contention of the authority is that the petitioner shifted the submersible pump on his own accord and once again asked for grant of new connection.

The petitioner denies all the allegations. These disputed questions of fact cannot be decided in the writ petition. Hence, a writ of mandamus cannot be issued upon the authority directing the authority to grant new service connection to the petitioner, upon setting aside the quotation raised by the authorities.

It is also made clear that the letter which has been produced before this Court shall be handed over to the petitioner so that the petitioner is able to file his written objection before the Station Manager, Nabagram Customer Care Centre, within ten days and the authority can take up the matter and pass necessary orders upon hearing the petitioner and upon inspection of the site, within a month from the date of receipt of the petitioner's written objection.

A reasoned order shall be passed, dealing with all the issues that have been raised by the petitioner. If the petitioner is required to fulfil other formalities, the same shall be indicated in the order.

Accordingly, the writ petition is disposed of.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)