

August 19, 2024
Sl. No.12
Court No.9
s.biswas

WPA 19225 of 2024

Tumpa Mondal
vs.
The West Bengal State Electricity Distribution
Company Limited and others

Mr. Biswajit De	
Ms. Mallika Manna	... for the petitioner
Ms. Susmita Chatterjee	... for the WBSEDCL
Ms. Jayeeta Sinha	
Mr. Sandip Mandal	... for the State
Mr. Arun Shaw	... for the respondent nos.6 & 7

1. The petitioner alleges that new connection has not been effected by the West Bengal State Electricity Distribution Company. Initially, the petitioner who a tenant in the house of one Chandi Charan Dey and was enjoying connection from the landlord. Upon the death of the landlord, the petitioner applied for a domestic connection in his name.
2. The dispute is whether the respondent nos.6 and 7 are the owners of the land through which the connection is proposed to be given to the petitioner. The petitioner alleges that a common passage would be used by the West Bengal State Electricity Distribution Company Limited for grant of new connection to the petitioner.
3. Learned advocate for the respondent nos.6 and 7 submits that the passage belongs to them.

4. The petitioner further submits that through the same common passage, supply has been granted to the respondent nos.6 and 7.
5. Learned advocate for the electricity distribution company submits that due to serious resistance by the respondent nos.6 and 7, the connection could not be effected to the petitioner.
6. These questions of fact cannot be decided in this proceeding. The writ petition is disposed of directing the D.E. & Station Manager, Burdwan 000-1, WBSEDCL, to refer the matter along with the server copy of this order to the District Magistrate, Purba Bardhaman within 10 days. The District Magistrate shall decide the matter under the Work of Licensees Rules. Needless to mention, that an inspection shall be caused by a representative of the District Magistrate, the Block Land and Land Reforms Officer and a representative of the distribution company in the presence of the parties. Thereafter, the matter shall be decided on the basis of the records and the report of the inspection. Whether the connection can be granted through the alleged passage or through any other alternative route, shall be decided.
7. The District Magistrate shall also enquire how the connection to the erstwhile landlord of the

petitioner had been effected and whether the connection can be given to the petitioner in the same manner and through the same route.

8. The police report submitted by the learned advocate for the state is taken on record.
9. The writ petition is disposed of. The entire exercise shall be completed within a period of three months from the receipt of the records by the District Magistrate.
10. All the parties shall act on the basis of the server copy of the order.

(Shampa Sarkar, J.)