

24.06.2024
Sl. No. 16
ss

W.P.A. 18493 of 2023

Hasibur Rahaman Mallick
Vs.
The State of West Bengal & ors.

Mr. Arkadev Biswas
Mr. Sutirtha Nayek
... for the petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra
... for the W.B.S.E.D.C.L.

Ms. Ashmita Chakraborty
... for the State

Affidavit of service is taken on record.

The petitioner is aggrieved by the inaction on the part of the West Bengal State Electricity Distribution Company. The petitioner prays for a direction upon the WBSEDCL to disconnect the supply given to the respondent no.5, from an existing transformer.

The respondent no.5 is not represented.

However, as this Court is not inclined to pass any order as prayed for, the writ petition is disposed of in absence of the said respondent.

The transformer had been installed initially at the request of the petitioner. The capacity of the

transformer is 10 KV. Subsequently, the connection was given to the respondent no.5. The West Bengal State Electricity Distribution Company Limited submits that the petitioner's requirement was 4.2 KV and another connection whose requirement was 3.2 KV was granted to the respondent no.5. Thus, the requirement of both the transformers could be met by 10 KV transformer which had been installed. Moreover, the transformer is the property of the company. Even if the petitioner bore the cost of the same, the ownership vests with the company.

The writ petition is disposed of with a direction upon the West Bengal State Electricity Distribution Company Limited to ensure that no connection, in excess of the capacity of the transformer, is given from the existing transformer to any person. All steps shall be taken to maintain the transformer in a good condition, so that it functions at its full capacity of 10 KV.

All parties are to act on the basis of server copy of this order.

(Shampa Sarkar, J.)