

D/L 16
12.11.2024
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19322 of 2024

Nirmal Mandal

Vs.

The West Bengal State Electricity Distribution Company
& Ors.

Mr. Atreya Chakraborty

...for the Petitioner.

Mr. Sujit Sankar Koley

...for the WBSEDCL.

Mr. Sarwar Jahan

Mr. Sayantan Hazra

...for the private respondent.

1. From the report of the Station Manager, Kalyani, CCC dated 22nd August, 2024 filed today it appears that an inspection was carried out on 21st August, 2024 at the premise where the electricity connection has been sought for. Though the petitioner or his family members were not present in the house but it has been ascertained from his neighbours that the petitioner resides in the said house along with his family for a considerable period of time.
2. As it appears that the petitioner is in possession of the house where the electricity connection has been sought for, accordingly, he would be entitled to obtain the said connection.
3. Learned advocate representing the private respondent submits, upon instruction that, a Title Suit being T.S. Case No. 136/2024 filed by the petitioner herein is still pending consideration and an order of injunction has been passed in favour of the petitioner on 29th July, 2024.
4. Be that as it may, it is made clear that grant of electricity will not create or extinguish any right of either of the parties and

the civil rights of the parties will be decided by the learned Civil Court.

5. The Distribution Company Limited shall take steps to effect electricity supply to the petitioner's premise subject to compliance of all necessary formalities.
6. It will be open for the Distribution Company Limited to seek police assistance at the time of providing electric supply to the petitioner, is required, at the cost of the petitioner.
7. The writ petition stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)