

19.08.2024
Court No.09
Item no.27
CP

WPA No. 19771 of 2024

Hemanta Paira
Vs.
State of West Bengal, through Chairman, West Bengal State
Electricity Distribution Company Limited & Ors.

Mr. Bhaskar Chandra Manna
... for the Petitioner.

Mr. Sandip Mandal
....for the WBSEDCL.

The petitioner submits that temporary connection to the submersible pump had been granted and there is no reason why the permanent connection should not be granted in the same manner.

The distribution company submits that the authority had taken steps to grant connection and a pillar was also constructed.

The writ petition is disposed of with a direction upon the Divisional Manager, West Bengal State Electricity Distribution Company Ltd. to immediately use his good offices and grant permanent connection to the petitioner, upon compliance of all formalities.

This is the second round of litigation and an order had already been passed. If it is the contention of the authorities that there are objections, in that event a communication should be given to the

petitioner indicating the names of those persons who have raised objections. The authority will also decide whether the objections are valid or not, i.e. whether the alleged supply would affect the private rights of any particular individual. If the proposed connection is not required to be drawn over any other private land, there is no reason why such connection should not be given.

The entire exercise shall be completed by the Divisional Manager within a period of two months from the date of communication of this order.

In the event it is found that there are objections with regard to the right and title in respect of the lands through which the connection is to be drawn, the authority shall refer the matter to the concerned District Magistrate and the District Magistrate shall decide the matter in terms of the Works of Licensees Rules and the order shall be passed upon hearing the authority, the petitioner and the objectors.

In case of reference, the District Magistrate shall decide the matter within four months from the date of receipt of the records from the office of the Divisional Manager.

The writ petition is disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)