

12.08.2024
Sl. No.82(DL)
srm

W.P.A. No. 19640 of 2024
Subhas Chandra Kayal & Anr.
Versus
The West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Srikanta Datta,
Mr. Pradyot Kumar Ray
...for the Petitioners.

Mr. Amitabh Shukla
...for the WBSEDCL.

Affidavit-of-service is taken on record.

It is the specific contention of the distribution company that a distance of 5.5 ft. has been maintained from the wall of the petitioners to the place where the transformer is being installed. The safety rules have been followed. The local inhabitants of Hatiara Nilachal area (almost 200 households), would benefit from the installation of the transformer. They would get uninterrupted supply of electricity without any fluctuation of the voltage.

An element of public interest is involved here. Thus, if the West Bengal State Electricity Distribution Company Limited maintains a safe distance from the premises of the petitioners to

the place where the transformer is being installed, the petitioners cannot raise any objection.

The writ petition is disposed of with a direction upon the Divisional Engineer, Bidhan Nagar II Division, West Bengal State Electricity Distribution Company Limited, to treat the writ petition as a representation of the petitioners and pass necessary orders in accordance with law. Before such reasoned order is passed, physical inspection shall be held in the presence of the petitioners, to satisfy them about the exact distance between the boundary wall of the petitioners and transformer.

If the authorities find that safe distance as per the rules has not been kept, then effort shall be made to shift the transformer by maintaining the minimum distance. If safe distance is being maintained, the petitioner will be informed accordingly.

The entire exercise shall be completed within a period of one month from the date of communication of this order.

Till such time, the energization shall not take place.

The writ petition is, thus, 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.)