

August 19, 2024
Sl. No.37
Court No.9
s.biswas

WPA 20127 of 2024

Baneshwar Santra
vs.
The State of West Bengal and others

Mr. Amit Baran Dash	
Ms. Ankana Sarkar	... for the petitioner
Ms. Suvasree Ghose	
	... for the WBSEDCL
Ms. Sipra Mazumder	
Ms. Prativa Ghatak	
	... for the State
Mr. Masud Mallik	
	... for the respondent no.5

1. The writ petition is disposed of directing the West Bengal State Electricity Distribution Company Limited to grant new connection to the petitioner, provided the petitioner complies with all the formalities. As there is an allegation that the construction of the petitioner had been made in violation of the order of status quo passed in the civil suit which is pending between the petitioner, the respondent no.5 and other co-sharers, the connection shall be subject to the result of the decision of the learned civil court on the application complaining of violation of the order of status quo.
2. The specific contention of the respondent no.5 is that the construction is not only unauthorized but also in violation of the order of status quo. Thus, if it is found by the learned court that the construction was made in violation of the order of

status quo, in that event the construction becomes illegal and the connection which shall be supplied by the West Bengal State Electricity Distribution Company Limited, shall be disconnected. If it is found that the construction was made prior to the order of status quo and under the Bangla Awas Yojana, then such connection shall be subject to the final decision in the suit. The petitioner shall not be entitled to any equity in respect of such connection.

3. The connection shall be granted within a period of two months from date.
4. The writ petition stands disposed of accordingly.
5. All the parties shall act on the basis of the server copy of the order.

(Shampa Sarkar, J.)