

20.08.2024
Sl. No.16(DL)
srm

W.P.A. No. 20297 of 2024

Smt. Anindita Adhikary

Versus

**The Chairman, West Bengal State Electricity
Distribution Company Limited & Ors.**

Mr. Kaushik Bhattacharyya,
Mr. Sandip Ganguly,
Mr. Suranjan Mandal,
Mrs. Sousumi Biswas

...for the Petitioner.

Mr. Amitabh Shukla

...for the WBSEDCL.

Mr. Debashis Dey

Respondent No.7 in person &
for the Respondent No.8.

Affidavit of service is taken on record. None appears on behalf of the respondent Nos.5, 6 and 9 to 12, despite service.

The petitioner is a shop owner in the south eastern corner of the ground floor of Ramlal Apartment situated at 391/368, Barasat Barrackpore Road, Barasat, Kolkata 700125.

The petitioner prayed for grant of new connection. The West Bengal State Electricity Distribution Company Limited issued the work order. It appears that the flat owners resisted grant of such connection.

Mr. Debashis Dey, learned Advocate for the respondent No.8 and the respondent No.7 (in person), submits that the agreement between the developer and the respondent No.7 provided that the common meter board position would be shared by the flat owners. Thus, a shop owner cannot be permitted to obtain electricity from the same meter board position.

Learned Advocate for the distribution company submits that on inspection it was revealed that there is adequate space in the meter board position.

Thus, this Court is of the view that the petitioner should be granted electricity from the same meter board position which shall be subject to any other litigation. The issue raised by the respondent No.7 that if the other shops are sold, their owners would make similar prayers, resulting in over crowding of meters, is not germane at this stage.

The authority shall be entitled to seek help of the police at the cost of the petitioner.

The entire exercise shall be completed within a period of three months from the date of communication.

A person who has validly purchased a property, cannot be deprived of electricity. There are adequate amenities available in

the building for grant of such connection from the same meter board position, as had been granted to the flat owners.

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.)