

20.08.2024
Sl. No.24(DL)
srm

W.P.A. No. 20421 of 2024
Rabindranath Manna
Versus
The State of West Bengal & Ors.

Mr. Amit Singh,
Mr. Gourav Kumar Shaw
...for the Petitioner.

Ms. Susmita Chatterjee
...for the WBSEDCL.

Mr. Rupak Ghosh,
Syed E. Huda
...for the Respondent No.5/State.

Mr. Dhilon Sengupta,
Ms. Farhin Mustaque
...for the Respondent Nos.6 & 7.

Learned Advocate for the petitioner submits that the West Bengal State Electricity Distribution Company Limited has failed and neglected to grant new connection to the petitioner's premises, despite repeated requests. It is submitted that the petitioner has deposited the quotation money.

Learned Advocate for the West Bengal State Electricity Distribution Company Limited submits that during inspection of the premises, an objection was received from the respondent Nos.6 and 7.

Learned Advocate for the respondent Nos.6 and 7 submits that the said respondents do not have any objection to grant of a new connection to the petitioner.

However, learned Advocate for the distribution company submits that apart from the respondent Nos.6 and 7 there were other persons in the locality who had been objecting to erection of the poles and drawal of the low tension overhead line. The authority proposed that the line will be drawn along a '*kaccha*' road used by the local people. The authority is yet to ascertain whether the said road is on panchayat land or is on a private land.

Learned Advocate for the State files a report from the police authorities. The report indicates that the objection had been raised by the respondent Nos.6 and 7.

On enquiry by the police, it was found that there was an electric meter in the house of the petitioner vide meter No.1001204487, but the same was lying in a disconnected condition.

Having heard learned Advocates for the respective parties, this writ petition is disposed of directing the Station Manager, Udaynarayanpur Customer Care Centre, West Bengal State Electricity Distribution Company Limited, to grant connection through the passage/*kaccha* road within a month from the date of

communication of this order and upon the petitioner complying with necessary formalities.

It is made clear that if any other person, apart from the respondent Nos. 6 and 7 raises any objection and claims title over the '*kaccha*' road, in that event the matter will be referred to the District Magistrate, Howrah by the Station Manager, Udaynarayanpur Customer Care Centre for disposal of the matter under the Works of Licenses Rules. The District Magistrate shall decide the matter upon causing an inspection by a representative, with the assistance of panchayat authorities and the Block Land and Land Reforms Officer and demarcate the area through which the connection can be granted without offending the right, title or interest of any private individual. The District Magistrate may also explore the possibility of drawal of line through the existing '*kaccha*' road, if it is found that the said land was being used as a pathway by the local villagers and the same could not be used for any other purpose. All these aspects will have to be gone into, upon hearing all concerned and upon allowing all objectors and the petitioner an opportunity to adduce evidence and file their respective documents.

If the matter is referred to the District Magistrate, then the same shall be disposed of within three months from the date of

receipt of the records from the Station Manager,
Udaynarayanpur Customer Care Centre.

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.)