

01.02.2024  
Item No.34  
RP  
Ct. No.2

**WPA 21813 of 2023**

**Sufia Yasmin  
Vs.  
The State of West Bengal & Ors.**

|                        |                          |
|------------------------|--------------------------|
| Mr. Partha Chakraborty | .....for Petitioner      |
| Mr. Abhra Mukherjee    |                          |
| Mr. A. Mukherjee       | .....for Respondent No.5 |
| Mr. Malay Singh        |                          |
| Ms. Neelam Singh       | .....for State           |
| Mr. Debjit Mukherjee   | .....for WBSSEDCL        |

Affidavit-of-service filed in Court today be kept on record.

Heard the learned advocates for the parties.

The petitioner has filed this writ petition being aggrieved by the alleged inaction on the part of the respondent electricity authority concerned in providing her electricity connection and it is the case of the petitioner that all the formalities, which are required to be observed under law, has been observed by the petitioner.

Learned advocate representing the respondent electricity authority concerned submits that the petitioner has complied with all formalities required under the law for getting electricity connection but due to resistance and obstruction put by the private respondent they are not able to provide electricity connection to the petitioner.

Learned advocate appearing for the private respondents in opposing the writ petition submits that the premises over which electricity connection is to be provided is disputed and submits that it is a joint property of the private respondents.

Right to electricity is a right to life under Article 19 of the Constitution of India and a citizen cannot be denied electricity or water on the ground of a civil dispute so long as the person is in possession of the premises and the legality and validity of possession of that person over the premises can only be decided by a civil Court and unless the said person is evicted by an order of a civil Court that person is entitled to get electricity and water.

Considering the facts and circumstances and submission of the parties, this writ petition, being WPA 21813 of 2023, is disposed of by taking into consideration the submission of the respondent electricity authority that the petitioner has complied with all the legal formalities and that the petitioner is in possession of the premises in question where electric meter is to be installed, by directing the respondent electricity authority concerned to take all steps for installing the meter at the premises in question and providing electricity connection to the petitioner within a period of four weeks from the date of communication of this order and if the respondent electricity authority faces any obstruction from the private respondent or any other person, in that event the respondent electricity authority will be entitled to take police assistance and the Officer-in-Charge of the jurisdictional police station shall render police

assistance if he is asked in writing by the electricity authority concerned at the cost of the petitioner.

It is made clear that this order will not have any impact on any proceeding if initiated by the private respondent before a civil Court.

**(MD. NIZAMUDDIN, J.)**