

15th January,
2024
(AK)
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W.P.A 22746 of 2023

Barkat Seikh
Vs.
West Bengal State Electricity Distribution Company
Limited and others

Mr. D.N. Bose
Mr. Sujit Chowdhury
...for the petitioner.

Mr. Sujit Sankar Koley
...for the WBSEDCL.

1. Affidavit-of-service filed in court today be kept on record.
2. Learned counsel for the petitioner submits that the petitioner has been attempting to get permanent electricity connection for operating his submersible pump.
3. The said exercise has been going on over years. The petitioner has, all along, been enjoying temporary connection.
4. Previously, there was some delay on the part of the WBSEDCL in holding inspection. Ultimately, however, such inspection was held.
5. However, on the WBSEDCL insisting upon the petitioner producing Way Lave certificate and the petitioner having submitted the same, the WBSEDCL is still not giving the electricity connection to the petitioner.

6. Learned counsel for the WBSEDCL submits that despite efforts, the WBSEDCL could not give such connection to the petitioner since several other objectors, at least six adjacent nearby property holders, have been objecting to such connection.
7. Heard learned counsel.
8. The Works of Licensees Rules, 2006 confers ample power on the licensing authority to approach the concerned District Magistrate and/or Commissioner of Police, as applicable, for permission to do their works upon properties in order to give electricity connection to an applicant.
9. As such, WPA 22746 of 2023 is disposed of by directing the WBSEDCL to approach the concerned District Magistrate/Commissioner of Police, as the case may be, for permission to carry out the works necessary to give permanent electricity connection to the petitioner for operating the petitioner's submersible pump.
10. It will be open to the concerned District Magistrate/Commissioner of Police as the case may be to take appropriate action in that regard.
11. If necessary, the WBSEDCL will be at liberty to approach the concerned police authorities for adequate police assistance in that regard.

12. It is expected that the said exercise shall be concluded by the WBSEDCL at the earliest, positively within a fortnight from date.
13. As and when so approached, the District Magistrate/Commissioner of Police shall decide the issue and convey the outcome of the consideration to the WBSEDCL within a further fortnight thereafter.
14. There will be no order as to costs.
15. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)