

June 24, 2024
Sl. No.46
Court No.9
s.biswas

WPA 23066 of 2023

Susanta Patra
vs.
The State of West Bengal and others

Mr. Raju Mondal	
Mr. Suman Ghosh	... for the petitioner
Mr. Sayan Datta	
	... for the State
Ms. Gopa Roy	
	... for the WBSEDCL

1. Affidavit of service is taken on record. Despite service, none appear on behalf of the respondent nos.9 to 11.
2. The petitioner alleges that the respondent nos.9 to 11 had drawn their electricity connection through the land of the petitioner. The petitioner further alleges that the distribution company did not take any steps.
3. The learned advocate for the distribution company submits that the petitioner purchased the land in 2018 and the connection had been effected to the respondent nos.9 to 11 through the said plot, in 1990. Knowing fully well about the existence of such service line, the petitioner had purchased the land.
4. An inspection was held by the authorities. The connection of the respondent nos.9 to 11 had been granted through the land, which was subsequently purchased by the petitioner.

Accordingly, the respondent nos.9 to 11 were asked to provide a way leave certificate, which they had failed to do. A calculation of the cost to be incurred if such connection is to be removed was also made.

5. Under such circumstances, the writ petition is disposed of with the direction upon the respondent no.3 to treat the writ petition as a representation and dispose of the same in accordance with law, upon hearing the petitioner as also the respondent nos.9 to 11. The said authority shall pass a reasoned order indicating what arrangement can be made in respect of shifting of the service connection, in accordance with law. The necessary documents indicating that the connection existed prior to the petitioner becoming the owner of the property, shall be disclosed to the petitioner by the authority.
6. The entire exercise must be completed within a period of four months. The report of the State respondent is taken on record.
7. All parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)