

WPA 26046 of 2024

**Sk Anowar @ Anowar Seikh
Vs.**

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

Mr. Md. Zeeshanuz Zaman

... .. for the petitioner

Mr. Asif Dewar

... .. for the respondent nos.1, 5 & 6

Mr. Manik Kundu

Mr. Janardan Mandal

... .. for the respondent nos.9 to 13

Ms. Sabnam De Bardhan

Ms. Rupsha Chakraborty

Mr. Subhadeep Moitra

... .. for the State

1. The petitioner was running a submersible pump over a plot of land. It is alleged that the private respondents had forcibly entered into the plot of land and broke down the equipments of the said pump including the storage tank, meter room, electric connection, etc. He made a representation with the authority concerned on 23rd September, 2024 but the authority has not taken any steps. Hence, this writ petition.

2. Learned counsel appearing on behalf of the WBSEDCL submits that the present petitioner has last paid the electricity bill on 17th March, 2017 and there is an outstanding of Rs.1,62,213/-. Due to non-payment of the

electricity bill, the connection of the submersible pump was disconnected by the authority concerned.

3. Learned counsel appearing for the petitioner submits that the respondent no.5 being the WBSEDCL be directed to pass necessary orders so that the petitioner may be allowed to pay the arrear bills with installments.
4. Learned counsel appearing on behalf of the private respondents submits that the disputed land in question is not belonged to the petitioner but it is the land of the private respondents. The petitioner may not be allowed to continue the submersible pump over the disputed plot of land as he is not the original owner.
5. Having heard the learned counsel appearing for the parties, it appears to me that the present petitioner has submitted a representation on 23rd September, 2024 with the authority concerned. The concerned authority is directed to dispose of the representation after hearing all the concerned parties including the private respondents.

6. I make it clear that the respondent no.5 shall allow the present petitioner to demonstrate his case and shall also allow the private respondents to raise their objection with specific documents. After hearing the parties, the respondent no.5 shall pass a reasoned order within six weeks from this date and shall communicate the reasoned order to the parties within two weeks thereafter.
7. I make it clear that this Court has not entered into the merits of this matter. The respondent no.5 is at liberty to take appropriate decision regarding providing electric connection over the disputed plot of land and whether any installment is to be allowed to the petitioner or not on the attending facts and circumstances of this case.
8. As the affidavits are not exchanged, the allegations made in the instant writ petition shall be deemed to have been not admitted.
9. With the aforesaid directions, this writ petition is disposed of.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)