

M/L. 28.
January 8, 2024.
MNS.

WPA No. 29024 of 2023

DEE AAR HOME SOLUTIONS PRIVATE
LIMITED "USOSHI"

Vs.

The State of West Bengal and others

Mr. Asit Kumar Bhattacharya

... for the petitioner.

Mr. Tapas Kumar Adhikari,
Mr. Rabindranath Pal

...for the State.

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 alleges that despite the petitioner having deposited all due money in terms of the quotation raised by the West Bengal State Electricity Distribution Company Limited (WBSEDCL), the electricity connection sought by the petitioner has not yet been given to the petitioner.
3. Learned counsel appearing for the WBSEDCL submits that due steps have been taken by the WBSEDCL and half of the work of giving

electricity connection has already been done by installing some of the apparatus required. However, due to resistance by the local villagers as well as one local club, namely one Pally Mangal Samity, the entire work could not be completed, for which the connection could not yet be given to the petitioner.

4. However, Rule 3 of the Works of Licensees Rules, 2006 clearly provides that in the event any impediment is offered to the Distribution Licensee in doing any work as contemplated under the Electricity Act, 2003, it is open to the Distribution Licensee to approach the concerned District Magistrate and/or the Commissioner of Police, as the case may be, for necessary permission in doing so.
5. Hence, WPA No. 29024 of 2023 is disposed of by directing the WBSEDCL to approach the concerned authority, either the District Magistrate or the Commissioner of Police, as the case may be, to seek necessary permission to do the work to give electricity connection to the petitioner. Such exercise shall be done by the WBSEDCL by approaching the said authority within a week from date.

6. It is expected that upon such approach being made, the said authority shall decide the issue upon giving adequate opportunity of hearing to all necessary parties at the earliest, positively within four weeks from the said approach being made by the WBSEDCL.
7. It is made clear that the merits of the objections taken by the local villagers as well as one local club, namely, Pally Mangal Samity is kept open for the District Magistrate or the Commissioner of Police, as the case may be, to decide all issues in accordance with law.
8. There will be no order as to costs.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)