

03.10.2024
Court No.2
Sl. No.35
KB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 2205 of 2024

**Sri Surjya Kumar Shil Sharma @ Surya Kumar
Shilsharma
-versus
West Bengal Electricity Distribution
Company Limited & Ors.**

**Mr. Rajat Das (VC)
Ms. Anumita Lahiri
...For the Petitioner.**

**Mr. Sudipta Kanta Bhowmik
Mr. Anirban Banerjee
Ms. Dipti Bhowmik
...For the WBSEDCL.**

**Mr. Bikramaditya Ghosh
Ms. Supriya Singh
Mr. Swarup Das
Mr. Ved Rai
... For the Private Respondent.**

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner objects to the laying of electricity line in the private land of the private respondent allegedly touching the boundary of the petitioner.
3. The petitioner submits that an accident took place on an earlier occasion and the Electricity Distribution Company Limited had to pay compensation for the accident which took place.

4. It appears from the documents placed before this Court and upon hearing the parties that an issue has been raised with regard to the right of way of the electric line.

5. Learned advocate representing the private respondent produces a copy of the sketch in support of the submission that the engineers of the Electricity Distribution Company Limited visited the site and prepared the said sketch relying on which the electricity line has been laid.

6. Learned advocate representing WBSEDCL submits, upon instructions that, all necessary precautions have already been taken in accordance with the prescribed rules.

7. As it appears that the electric line has already been laid but connection is yet to be given, accordingly, let a fresh spot inspection be conducted upon prior notice to all the necessary parties to ascertain as to whether there is any risk of giving connection to the electricity line which has already been laid.

8. The authority shall ensure that all necessary precautions for safety and security are maintained strictly in accordance with the statutory guidelines.

9. The spot inspection shall be conducted at the earliest but positively within a period of four weeks from the date of communication of this order.

10. In the event the authority is of the opinion that the required safety security measures have been maintained at the time of laying the electric line and there may not be any risk to grant connection, then necessary steps in that regard shall be taken by the authority.

11. The writ petition stands disposed of.

12. Urgent certified photocopy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(Amrita Sinha, J.)