

22.04.2025
Sl. No.27
Ct. No.15
Suman

WPA 5746 of 2025

M/s. Shyamsundar Aqua and Ors.
-vs-
The West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Tapash Kumar Bhattacharya
Mr. Aviroop Bhattacharya
..for the petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra
..for WBSEDCL

The petitioner seeks a commercial electricity connection for operating a drinking water factory.

Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited (WBSEDCL) submits that although WBSEDCL has, in principle, agreed to provide the connection, it could not be effected due to resistance from respondent nos. 5 to 7. It is further submitted that installation of an electric pole is required on a plot of land which the private respondents claim to be their own.

The petitioner, however, disputes this claim and contends that the relevant land is, in fact, a panchayat road.

Learned counsel for the petitioner places reliance on the judgment reported at **(2012) 5 CHN (CAL) 772 (Sk. Samsud Doha vs. West Bengal**

State Electricity Distribution Co. Ltd.) to support the argument that an electricity connection cannot be denied merely on the ground of non-submission of way-leave.

In view of Rule 3(b) of the Works of Licensees Rules, 2006, I consider it appropriate to grant liberty to the petitioner to file an application before the concerned District Magistrate for resolution of the disputes within two weeks from date.

If such an application is filed, the District Magistrate shall consider and dispose of the same after affording an opportunity of hearing to the petitioner, the representatives of WBSEDCL, and respondent nos. 5 to 7.

The entire exercise shall be completed within a period of two months from the date of filing of the application by the petitioner.

Accordingly, **WPA 5746 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)