

10.03.2025.
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Ct.No.3.
as/sdas

WPA 27241 of 2024

**M/s. Shibo Durga Fuel Station Dealer
in India Oil Corporation Ltd. & Anr.
Vs.
WBSEDCL & Ors.**

Mr. Amar Nath Sur,
Mr. Malay Dhar.

...for the Petitioners.

Mr. S. S. Koley,
Mr. S. Deb.

...for the WBSEDCL.

1. Affidavit of service is taken on record.
2. Petitioner has preferred the present writ petition being aggrieved by the inaction of the respondent authority in not shifting 11 KV Shridharpur Feeder overhead electricity supply line, despite having deposited a sum of Rs.5,63,541/- towards the shifting charges and having already submitted a lay out plan for the same.
3. It is the case of the petitioner that he wanted to make an additional floor. However, the presence of the said 11 KV overhead electricity supply line, has obstructed the construction of an additional floor on his property.
4. Consequently, the petitioner submitted an application dated 16.08.2023 requesting the respondent authority to shift the said 11 KV overhead electricity

supply line. After conducting an inspection, the respondent authority directed the petitioner to deposit Rs.5,63,541/- towards the shifting charges. Petitioner deposited the said amount on 06.06.2024. Subsequently, vide letter dated 23.07.2024, the Superintendent Engineer and Regional Manager, Purba Bardhaman requested the petitioner to confirm the route clearance concerning the right of way. The petitioner asserts that he had already submitted a lay out plan for the said purpose. However, despite repeated reminders the said respondent authorities have failed to execute the shifting of the 11 KV overhead electricity supply line.

5. Learned counsel for the respondent contends that the responsibility of ensuring the necessary route clearance lies with the petitioner. Additionally, objections have been raised by the local inhabitants, preventing the authorities from carrying out the shifting work. The learned Counsel further submits that if adequate police assistance is provided, the respondent authority shall be in a position to execute the work without further hindrance.

6. This Court has heard the arguments advanced by of both the parties and perused the documents. Since the respondent authority viz., WBSEDCL is facing difficulties in executing the shifting work due to local people causing inconvenience and not allowing them to carry out their duties, this Court feels adequate police

protection shall be granted to the respondent authorities to carry out their work.

7. In view of the aforesaid circumstances, this Court deems it just and appropriate to direct the Officer-In-Charge, Memari Police Station, District Burdwan, to provide necessary police protection to the officers and personnel of WBSEDCL to facilitate the shifting of the 11 KV overhead electricity supply line. The cost of such police deployment shall be borne by the petitioner.

8. With the above direction, the present writ petition is disposed of.

9. Urgent xerox certified copy of the order be given to the appearing parties on usual undertaking.

(Gaurang Kanth, J.)