

26.03.2025

WPA 28097 of 2024

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

Mr. Pratip Kumar Chatterjee
Mr. Asish Deb
Mr. C. Ghosh
Mr. R. Ghosh

... ... for the petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra

... ... for the WBSEDCL

Mr. Moloy Roy
Ms. Sutapa Upadhyay

... ... for the respondent No.6

Learned counsel appearing for the petitioner submits that the petitioner is a promoter who constructed a multi-storied building at Joy Krishna Bazar, Tarakeswar, Hooghly. However, the West Bengal State Electricity Distribution Company Limited failed to supply electricity connection to the said building without following the procedure mentioned in the law.

Learned counsel appearing for the West Bengal State Electricity Distribution Company Limited is present.

Learned counsel appearing for the private respondent No.6 submits that if a transformer is installed by WBSEDCL in front of his house, then there could be a threat to his life and property.

Even without going into the question of merits as to the petitioner's status with regard to the property, the

petitioner being an occupant, is entitled under Section 43 of the Electricity Act, 2003 to get electricity supply irrespective of the objections raised by the neighbours being the private respondents.

Accordingly, WPA 28097 of 2024 is allowed directing the WBSEDCL to provide a new electricity connection to the petitioner at the premises in question subject to compliance of all formalities by the petitioner but within a month of such compliance by the petitioner.

If obstructed by the private respondent, WBSEDCL personnel shall be at liberty to approach the Officer-in-Charge, Tarakeswar Police Station, being the respondent No.5 herein, who shall provide adequate police assistance to the WBSEDCL personnel, at the cost of the petitioner by acting on a server copy of this order.

If any padlock or other hindrance is put up by the private respondent to prevent the WBSEDCL personnel in doing so, the police shall be at liberty to remove such padlock or hindrance in order to provide access to the WBSEDCL personnel.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)