

19.03.2025
Sl. No.91
Ct.3/ tkm

W.P.A. 30967 of 2024
(Nepal Talukdar vs. WBSEDCL & Ors.)

Mr. A K Ghosh
... .. for the petitioner

Mr. Kanak Kiran Bandyopadhyay.
...for the WBSEDCL

1. The present writ petition has been filed by the petitioner, who is aggrieved by the non-grant of an electricity connection for his agricultural purposes by the respondent authority.
2. It is the case of the petitioner that he is the owner of the plot of land being Dag No. 548 at Mouza-Bachahar under P.S.- Gazole, Dist- Malda. The petitioner has installed submersible pump for agricultural purposes at his plot and submitted an application for an electricity connection on 14.10.2024.
3. Learned Counsel for the petitioner has argued that the online application portal of the respondent authority does not provide an option for a 3 – phase meter. However, upon perusal of the records this court finds that such an option is available under clause 4 of the application form. Therefore, the petitioner's assertion is erroneous. Clause 4 of the application form is reproduced herein below:

“Supply phase: (a) 1- Phase [] (b) 3- Phase []”

4. Learned counsel for the petitioner has further contended that given the petitioner's economic condition and lack of technical knowledge he was not fully aware of the availability of the 3 – phase meter option in the application. In the light of this, the petitioner seeks an opportunity to rectify his application and submit a fresh one.
5. The respondent authorities on the other hand, have submitted that the petitioner's earlier application was deficient in material particulars as it did not include identity proof, land ownership documents and SWID (State Water Investigation Directorate) permission, owing to this deficiencies the application could not be processed and no inspection was conducted.
6. In view of the submissions made by the respective parties and upon careful consideration of the facts and circumstances, this Court directs as follows:-
 - (i) The petitioner shall submit a fresh application with a request for a 3-phase meter as explicitly reflected under clause 4 of the application form. The submission shall be made before respondent no. 4 within a period of 2 weeks from the date of server copy of this order ensuring that all requisite documents are duly furnished.

(ii) Since the petitioner has already paid the quotation amount for the earlier application, the respondent authority is directed to refund the said amount within a period of 2 weeks from the date of this order.

(iii) A fresh quotation amount shall be issued within a period of 2 week following the submission of a duly completed fresh application form for grant of electricity connection.

(iv) After paying the quotation amount within a period of 1 week the respondent shall process the application of the petitioner for a 3 – phase meter.

7. With the above directions writ petition is disposed of.

(Gaurang Kanth, J.)