

23
01.08.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1471 of 2024

Sajan Kumar Jha
Vs.
The WBSEDCL & Ors.

Mr. Pabitra Pal Chowdhury,
Mr. Debanshu Modak.
...for the petitioner.

Mr. Sudipta Kanta Bhowmik,
Mr. Anirban Banerjee,
Ms. Dipti Bhowmik.
...for the WBSEDCL.

Leave is granted to add the State as a party respondent.

Let corrections be done by tomorrow.

Learned senior counsel representing the petitioner submits as follows. The petitioner's father was an employee of the P.H.E. While the P.H.E. claims that the property in question is their official quarter, the petitioner claims that it is their residential house. The house was nevertheless built on a land belonging to Dima Tea Estate. In 2016, a notice was given by the PHE to vacate the property. It was not acted upon. After three years, another similar notice was given. Surprisingly, an FIR was also registered in this regard and the relatives of the petitioner were arrested. No prima facie case is made out in the FIR. The electricity connection was effectively disconnected in the year, 2020.

After that when the electricity authorities were approached for reconnection, they asked for no objection from the tea estate and the P.H.E.

No one appears either on behalf of the State or on behalf of the Tea Estate although the electricity authority is represented.

Opposition, if any, be filed within a fortnight from this date.

Reply, if any, be filed within a week therefrom.

List this matter for hearing after three weeks.

Learned Additional Government Pleader, Mr. Subir Kumar Saha shall represent the State in this regard. His engagement shall be regularized in due course.

A copy of the writ petition be handed over to Mr. Saha in course of the day.

He shall ensure that a notice of hearing intimating the next date of hearing is served on the respondent no.8 through the Officer-in-Charge, Kalchini Police Station, within a week from this date. A report to that effect shall be filed on the next date.

(Jay Sengupta, J.)