

THE HIGH COURT OF TRIPURA AGARTALA

WP(C.) NO.208 OF 2002

Shri Samir Ranjan Barman,
S/O Late Sudhir Ranjan Barman,
Residing at Akhaura Road, Agartala,
and also at Ramnagar Road No.5, Agartala,
P.O. Agartala, P.S. West Agartala,
District-West Tripura.

..... *Petitioner*

- Vs -

1. The State of Tripura,
represented by the Secretary to the
Government of Tripura,
Department of Power, Agartala.

2. The Chief Engineer(Electricityal),
Department of Power, Tripura, Agartala.

3. The Superintending Engineer(Elec.),
Circle-2, Agartala.

4. The Executive Engineer(Elec.)
Circle-2, Agartala.

5. The Sub-Divisional Officer(Elec.),
Sub-Division III, Durga Chowmuhani,
Agartala.

..... *Respondents.*

BEFORE THE HON'BLE MR. JUSTICE S.C. DAS

For the petitioner : Mr. A.K. Bhowmik, Sr. Advocate

For the respondents : Mr. N. Majumder, Advocate.

Date of hearing and
delivery of Judgment
& order : **28.02.2014**

Whether Fit for Reporting :

Yes	No
	✓

JUDGMENT & ORDER(ORAL)

Heard learned senior counsel, Mr. A.K. Bhowmik for the
petitioner and learned counsel, Mr. N. Majumder for the State
respondents.

2. The simple issue involved in this writ petition is that, load-shedding free electricity connection was afforded to the residence of Sudhir Ranjan Barman, father of the present petitioner, Sri Samir Ranjan Barman, Ex-Chief Minister of Tripura and after the death of Sudhir Ranjan Barman, Renu Bala Barman, mother of the present petitioner Samir Ranjan Barman, was enjoying the load-shedding free electricity connection.

3. It is contended that Ex-Chief Minister, Samir Ranjan Barman and his brother, Sujit Barman Roy, a High Court Judge as he then was, were also used to reside in that house. The load-shedding free electricity connection was disconnected on 04.12.1999 and, thereafter, a writ petition was filed and by an interim order passed by this Court on 27.09.2002, the connection was restored.

4. It is contended by the petitioner that there were two metres and two pass books and both the pass books were submitted to the SDO, Electrical as was asked by the respondents to submit, but subsequently, one pass book was returned and the other was not returned. The petitioner prayed for directing the respondents to continue load-shedding free connection since the house is meant for an Ex-Chief Minister.

5. Respondents contended that Sri Samir Ranjan Barman, Ex-Chief Minister has been residing in his residence at Akhaura Road, wherein he has been given the facility of load-shedding free electricity connection and it is the contention of the respondents

that two load-shedding free electricity connection—one at the residence at Akhaura Road of the Ex-Chief Minister and the other at the residence at Ramnagar, cannot be made available. It is also contended that for one connection since long the bills for electricity charges have not been paid by the petitioner.

6. Learned senior counsel, Mr. Bhowmik has submitted that an Ex-Chief Minister, as per the Memorandum of the respondents dated 21.08.1998(Annexure-R/1 to the counter affidavit), is entitled to enjoy load-shedding free electricity connection in more than one residence and on that ground the enjoyment of load-shedding free electricity connection cannot be deprived. It is contended by learned senior counsel, Mr. Bhowmik that the word, "residences" specifically used in item No.1 of the Memorandum dated 21.08.1998, should be read with its true meaning intended therefor.

7. Learned State counsel, Mr. Majumder has submitted that the word, "residences" has been used to qualify the different persons mentioned in the said paragraph. It is not intended to mean different residences of those VVIPs mentioned in the Memorandum.

8. It is an admitted position that by means of Annexure-R/1 to the counter affidavit, load-shedding free electricity connection has been prescribed to be given to the residences of different authorities/persons. Item No.1 of the Memorandum reads as follows:

<i>Establishment</i>	<i>Sources of supply</i>
<i>1. Residences/Quarter of Ministers/Raj Bhavan/Executive Members, Autonomous District Councils/High Court Judges/Chief Secretary/D.G. Police/Speaker/Deputy Speaker/M.Ps/Ex-Chief Minister/Leader of Opposition/chairman/TTAACD/Addl. D.G./Principal Secretaries/Secretaries already enjoining diesel supply.</i>	<i>Grid Supply & Diesel Source either from G.B. Power house/I.G.M. Power house/Banamalipur main Power house.</i>

9. A bare reading of the above Memorandum makes it evident that an Ex-Chief Minister is entitled to get load-shedding free connection in his residences and number has not been mentioned specifically that he is entitled to get load-shedding free connection in one residence only. I cannot agree with the submission of the learned counsel, Mr. Majumder on the score that the word "residences" is mentioned to qualify different persons stipulated in the Memorandum.

10. Regarding the pass books, as it appears, the petitioner Renu Bala Barman handed over two pass books to the SDO, Electrical what is evident from Annexure-1 to the writ petition. If the pass book is not traceable then authority may issue duplicate pass book and arrange realization of the charges of electricity bills from the petitioner.

11. Accordingly, the writ petition is allowed. It is hereby ordered that the petitioner is entitled to enjoy load-shedding free

electricity connection at his residence at Ramnagar and regarding collection of the bills, if one pass book is not available, the respondents may issue duplicate pass book and arrange collection of the bills of the charges of electricity from the petitioner.

12. The writ petition, accordingly, stands disposed of.

JUDGE