

06.08.2026
Item No.24 (DL)
Court No.7
A.J.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 16658 of 2026

**Md. Abdul Mojid Mondal @ Majid Morol
-Vs-
The State of West Bengal & Ors.**

Md. Salahuddin,
Md. Raziauddin.

.... for the petitioner.

Mr. Sumit Kumar Panja,
Mr. Sumit Ray.

.....for the WBSETCL.

Mr. Dyutimoy Paul.

.....for the State.

1. The writ petition complains of arbitrary action on the part of the respondent WBSETCL Authorities in erecting poles on the petitioner's property for drawing overhead transmission lines.

2. Mr. Salahuddin, learned Advocate appearing on behalf of the petitioner submits that a notice dated June, 29, 2026 had been issued to the petitioner by the Divisional Engineer (E), Joynagar Camp Office, WBSETCL stating that necessary compensation will be given to the petitioner "*as per prevailing acts and rules*". He submits that despite such notice, no compensation has yet been paid to the petitioner.

3. Mr. Panja, learned Advocate appearing for the respondent WBSETCL Authorities submits that it is too early to complain that compensation has not been paid to the petitioner inasmuch as, the work of drawal of transmission lines is not yet complete. It is submitted that the petitioner's entitlement of compensation and the amount of compensation, if any payable to the petitioner can be determined only upon the work of drawing transmission lines being completed. It is submitted that the petitioner's grievance at this stage is, therefore, premature.

4. Heard learned Advocates appearing for the respective parties and considered the material-on-record.

5. Since it is not in dispute that the work of drawing transmission line is still underway and is not yet completed, therefore, at the moment, no fault can be attributed to the respondent WBSETCL Authorities in not granting compensation to the petitioner.

6. It is evident from the notice dated June 29, 2026 that the respondent WBSETCL Authorities have said that necessary compensation will be paid to the petitioner "*as per prevailing acts and rules*". Therefore, it is clear that if the petitioner is entitled in terms of

the prevailing law, then the petitioner would be paid compensation, in accordance with law.

7. In such view of the matter, WPA 16658 of 2026 is disposed of leaving the petitioner free to approach the WBSETCL Authorities with its request for compensation and leaving the WBSETCL Authorities free to take appropriate decision as regards petitioner's entitlement and amount of payment of compensation, in accordance with law.

8. It is expected that the petitioner's case for compensation would be considered by the WBSETCL Authorities as expeditiously as possible and preferably within a period of six weeks from the date of completion of the drawing of transmission lines.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)