

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 527 of 2021

Sukumar Hazra & Ors.
Vs.
State of West Bengal & Ors.

Mr. Syed Shamsul Arefin
... For the petitioners

Mr. S.S. Koley
... For WBSEDCL

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
... For the State

The petitioners are, inter alia, seeking a direction upon the Divisional Manager, Burdwan Division (Urban), West Bengal State Electricity Distribution Company Limited (the respondent no.7 though not correctly described), to take a decision upon the complaint made by the petitioners and to pass necessary orders.

It is the case of the petitioners that due to the fault of West Bengal State Electricity Distribution Company Limited (hereinafter referred to as "WBSEDCL"), the standing crops of the petitioners in the petitioners' agricultural field have been destroyed and, as such, the petitioners are entitled to necessary compensation for the same.

On behalf of WBSEDCL, it is, however, denied that the standing crops of the petitioners were destroyed and/or

the petitioners suffered any loss on account of any act of WBSEDCL.

The writ Court cannot go into the issue of adjudicating the compensation for the alleged destruction of crops said to belong to the petitioners. An order directing the Divisional Manager, Burdwan Division (Urban), WBSEDCL, to decide on the petitioners' complaint will also not be beneficial to the petitioners as the said officer of WBSEDCL is not the competent authority to decide upon the issue of compensation for alleged destruction of crops said to belong to the petitioners.

The writ petition is, therefor, disposed of by granting the petitioners' liberty to approach the appropriate forum competent to decide on the issue as may be advised.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)