

W.P.A. 2227 of 2021

Rabindranath Mondal
Vs.
Union of India & Ors.

Mr. Sayan Chatterjee
Mr. Soumen Bagfor the petitioner.

Mr. Piush Chaturvedi
Mr. Uttam Kr. Mondal
...for Powergrid Corporation of India Ltd.

Heard the parties.

The grievance of the petitioner is directed against the illegal cutting of trees from the land of the petitioner by the respondents. In particular, the petitioner submits that the officers of the respondent No.2 had entered into his land and illegally and unlawfully cut the trees from his land to install electric poles.

The petitioner submits that he is entitled to compensation in view of the unlawful and illegal acts on the part of the respondent authorities.

The respondent Nos.2 to 5 are represented.

It is submitted on their behalf that they have not entered upon the land of the petitioner and have not cut any trees from the land of the petitioner. In fact, it is clearly submitted on their behalf that if there is any

cutting of trees from the land of the petitioner, the petitioner would be entitled to lawful compensation in accordance with law.

In view of the fair submission made on behalf of the respondents and in view of the factual disputes raised for adjudication, I am of the view that there is no merit in this writ petition and the same being WPA No.2227 of 2021 is dismissed.

However, I make it clear that if the officers or representatives of respondent No.2 enter into the land of the petitioner or install any electric pole in the land of the petitioner, then the petitioner would be entitled to do so only in accordance with law and after giving the petitioner notice and compensation under the prevalent law.

In view of the aforesaid nothing survives in this writ petition.

Accordingly, WPA No.2227 of 2021 is disposed of.

However, there will be no order as to costs.

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

(Ravi Krishan Kapur, J.)