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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1227 of 2020

Santasree Chakraborty
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Chittapriya Ghosh,
Ms. Priyanka Saha
... For the petitioner.

Mr. Amitabh Gupta,
Mr. P.C. Pandey
.... For WBSEDCL.

Affidavit of service filed in Court today is
taken on record.

The petitioner says that the petitioner has
purchased a property within the limits of Bhadreswar
Municipality under a registered deed dated 28th May,
2013. The particulars of the vacant land purchased
under the said deed is provided in the schedule
thereof. The petitioner says that West Bengal State
Electricity Distribution Company Limited (in short,
WBSEDCL), has installed a pole mounted
transformer just in front of the petitioner's vacant
plot, which is causing hindrance to the petitioner's
egress and ingress to the said plot. The petitioner
says that by a letter dated 18th January, 2019, the
petitioner has made a representation before the
concerned Assistant Engineer. The said

representation has remained pending. The petitioner has, therefor, invoked writ jurisdiction to ventilate his grievances.

On behalf of the WBSEDCL, it is submitted that the transformer has been installed on the municipal road and not on the petitioner's plot of land.

Be that as it may, if a person is aggrieved with the work carried out by the licensee, the said person is required to approach the concerned District Magistrate under the provisions of West Bengal Works Licensees Rules, 2006.

In the facts and circumstances as aforesaid, after hearing the parties and considering the materials on record, I direct the petitioner to approach the District Magistrate, Hooghly, ventilating his grievances. The petitioner shall make such representation within 20th January, 2021. In the event, such representation is made, the concerned District Magistrate, after affording a reasonable opportunity of hearing to the parties shall dispose of the petitioner's representation within three months from the date of receiving the petitioner's representation by a reasoned order.

It is made clear that I have not gone into the merits of the matter and it will be open to the concerned District Magistrate to decide all the issues

involved without being influenced by this order.

Nothing further remains to be adjudicated in this writ petition and the same is accordingly disposed of without any order as to costs.

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

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon usual undertakings.

(Arindam Mukherjee, J.)