

4.8.2021
Court No. 19
Item no.25
sn

WPA No. 11948 of 2021

KUNAL CHATTOPADHYAY VS. THE STATE OF
WEST BENGAL & ORS.
(via video conference)

Mr. Srinjoy Das	...for the petitioner
Mr. Tanmoy Mukherjee	
Mr. Arindam Chandra	..for the respdt.no.5
Mr. S.N. Mitra,,Sr.Adv.	
Mr. Atish Ghosh	..for the respdt,no,6
Mr. Srijan Nayak	
Ms. Rituparna Maitra	..for the State

This writ petition has been filed challenging inaction on the part of the Administrator of the Baranagar Municipality in disposing of the representation of the petitioner and other persons of the locality, who have raised objection to the installation of a mobile tower by the respondent no.6.

It is the contention of the petitioner that without studying the feasibility of having a second mobile tower in the same locality, the municipal authorities have granted provisional sanction/ permission to the respondent no.6 to install a mobile tower.

Mr. Surajit Mitra, learned Senior Advocate appearing on behalf of the respondent no.6 submits that all necessary permission and no objections have been obtained by the respondent no.6 for installation

of the mobile tower and the municipality has also given them provisional sanction.

Mr. Tanmoy Mukherjee, learned advocate appearing on behalf of the respondent no.5 submits that the installation of the mobile tower was done pursuant to the permission granted by the appropriate authorities.

A Division Bench of this Court by an order dated September 21, 2012 disposed of many similar writ petitions with a direction upon the State Government to constitute Grievance Committees at the level of Municipal Corporation and the Municipalities. It is expected that the Baranagar Municipality has constituted a Grievance Committee to deal with the issues and objections relating to installation of telecom tower.

This writ petition is disposed of directing the competent authority of the Baranagar Municipality deputed to hear such objections and/or the grievance committee as the case may be, to consider the grievances of the petitioner in accordance with law upon hearing the petitioner as also the representatives of the respondent nos. 5&6. A reasoned order shall be passed and communicated to all concerned. The entire exercise shall be completed within eight weeks from date of communication of this order.

This writ petition is thus disposed of.

There will be however no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)