

AD. 6.
December 16, 2021.
MNS.

(Through Video Conference)

WPA No. 23940 of 2019

Papan Dey
Vs.
West Bengal State Electricity Distribution
Company Limited and others

Mr. Snehasis Jana

... for the petitioner.

Mr. Saurav Chaudhuri

...for the WBSEDCL.

Learned counsel for the petitioner contends that the petitioner seeks to construct a house on his land. However, since high-tension electric connection has been taken over the land of the petitioner by affixing an electric pole there, such building cannot be made by the petitioner.

Despite having given a representation to that effect to the DE & Divisional Manager, Ghatal Division, WBSEDCL Ghatal, Paschim Medinipur, it is contended that the West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') has not taken note of such representation and/or taken any decision thereto as yet.

Learned counsel for the WBSEDCL files a written set of instructions, which indicates that applications were received for electric connection from huge number of

consumers in the locality over which the line was drawn, which would connect many government offices, hospitals, etc. In view of such public interest, the high-tension line had to be drawn over the petitioner's land.

That apart, no alternative pathway is available to draw the said line, apart from over the petitioner's land.

It is further submitted by learned counsel for the WBSEDCL that the high-tension line was installed long back and the petitioner never objected to the same.

As such, it is submitted that the belated challenge made in the writ petition ought to be turned down.

Since it appears from the inspections of the WBSEDCL, as reflected from the written instructions filed today and kept on record, that the said high-tension line has been taken over the petitioner's land in view of greater interest of the public and that there is no alternative pathway for taking such connection, the stand of the WBSEDCL has been made clear.

As such, a further consideration of the representation-in-question on the same issue would be unnecessary and has already been rendered academic.

However, if so entitled in law, the petitioner shall be at liberty to file an appropriate application for adequate compensation for the alleged loss, if any, suffered by the petitioner. If so approached, the WBSEDCL shall decide on the same in accordance with

law upon giving necessary hearing to all interested parties.

WPA No. 23940 of 2019 is disposed of in the light of the above observations.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)