

AD. 24.
March 11, 2022.
MNS.

WPA No. 1023 of 2022

Abdul Latif Mondal and another
Vs.
State of West Bengal and others

Mr. Imtiaz Ahmed,
Ms. Ghazala Firdous,
Mrs. Shaila Arfin,
Sk. Saidullah
...for the petitioners.

Mr. Sumit Kumar Panja,
Mr. Sujit Sankar Koley
...for the WBSETCL.

Mr. Rammohan Pal
...for the State.

Learned counsel for the petitioners contends that the petitioners are day labourers and the property over which the West Bengal State Electricity Transmission Company Limited (in short 'WBSETCL') has installed their equipment and devices, including towers, are the only lands of the petitioners. It is further submitted that the petitioners will be rendered homeless in the event such installations are permitted to be located on the lands-in-question.

However, learned counsel appearing for the WBSETCL, in his usual fairness, contends that even as per law, the WBSETCL shall definitely consider the amount of compensation, if any, payable to the petitioners, taking into consideration the existing

structures on the said land, if any, and the right of the petitioners to such lands.

In such view of the matter, more so since the works undertaken by the WBSETCL are of a public nature, justice would be subserved in the event the petitioners' right to compensation, if any, in respect of the lands-in-question be considered and decided by the added respondents, that is the WBSETCL.

Accordingly, WPA No. 1023 of 2022 is disposed of by directing the added respondents, that is the WBSETCL to decide the question of compensation payable, if any, to the petitioners in respect of the lands-in-question for the damage, if any, suffered by the petitioners due to the work undertaken by the WBSETCL, as expeditiously as possible, preferably within two months from date, upon giving adequate opportunity of hearing to the petitioners and in accordance with law. Upon such decision being taken, it is expected that the WBSETCL will disburse the amount of compensation in favour of the petitioners, if so decided to be paid, as early thereafter as possible.

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.)