

15.09.2022  
Court No.13  
Item No.65  
pk

**WPA 16589 of 2022**

Rina Dutta  
Vs.  
The State of West Bengal and others

Mr. Amitbha Ghosh,  
Ms. Nabanita Chatterjee  
...for the petitioner.

Mr. Debjit Mukherjee,  
Ms. Dipanwita Ganguly  
... for the private respondents.

Mr. Santanu Kumar Mitra,  
Mr. Mirza Karimuddin  
... for the State.

The writ petitioner is aggrieved by alleged inaction on the part of the Uttarpara Police Station in dealing with the resistance of the private respondents, who are preventing him from installing a mobile tower on his premises.

Counsel for the State submits that they have received written complaint from the residents of the local village apprehending ailments likely to be caused by the mobile tower.

Counsel for the private respondents submits that they have submitted an objection to the Nodal Officer, who had issued permission to Indus Towers Limited/respondent no. 4 to install the said tower on the petitioner's premises.

Likelihood of any ailments and concerns of health upon installation of mobile tower has already

been dealt with by the Pollution Control Board and all other authorities under the Central and State Government. The private respondents, therefore, cannot complain of health hazards on installation of the mobile tower, per se.

In those circumstances, Uttarpara Police Station shall render all assistance to the petitioner so that there is no obstruction in installation of the mobile tower on his premises. The cost of deployment of any police personnel shall be borne by the writ petitioner.

Since the private respondents have already made a representation dated 12.08.2022 to the Nodal Officer against installation of the said mobile tower on the petitioner's premises, the Nodal Officer shall consider the grievances of the private respondents after due notice to the petitioner and the service provider, namely, Indus Towers Limited/respondent no. 4 and dispose of the same in accordance with law.

Needless to mention that the petitioner shall take all pre-cautions as required by the authorities and the Nodal Officer for the purpose of installation of the aforesaid tower.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**