

11th August,
2022
(AK)
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W.P.A 17019 of 2022

Narayan Chandra Sahoo and others
Vs.
State of West Bengal and others

Mr. Bhaskar Chandra Manna
...for the petitioners.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
...for the WBSEDCL.

Learned counsel for the petitioners contends that a high tension electricity line has been taken through the middle of the petitioners' land.

Learned counsel for the Distribution Licensee controverts such allegation and submits that the 11 K.V. electricity line-in-question, after receiving an objection from the petitioners, was shifted by the Distribution Licensee to a corner of the petitioners' plot. As such, there is no hazard at present for the petitioners.

However, since such contention is vociferously controverted by learned counsel for the petitioners, it is not possible for the writ court to ascertain on facts the veracity of the respective contentions of the parties.

Such fact-finding exercise can only be done by an appropriate authority upon a perusal of the materials-on-record produced by the parties as well as any report, if sought in that context.

Accordingly, WPA 17019 of 2022 is disposed of by granting liberty to the petitioners to refer the dispute to the concerned District Magistrate of the area.

If so referred, the District Magistrate shall decide the same expeditiously upon giving an opportunity of hearing to all concerned in accordance with law.

If deemed necessary, the District Magistrate may also seek a field report from an appropriate authority with regard to the veracity of the contentions of the parties.

It is expected that the disposal shall be done expeditiously, preferably within ten weeks from date of reference to the District Magistrate.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)