

S/L 18
06.04.2022
Court. No. 19
GB

WPA 17832 of 2021

Gouranga Deb Naskar
Vs.
The State of West Bengal & Ors.

Mr. Soumendu Saha.

...for the Petitioner.

*Ms. Sutapa Sanyal,
Ms. Susnita Saha.*

...for the State.

The petitioner claims to be the landlord of a premises in which a mobile tower company seeks to install the mobile tower. The petitioner has entered into an agreement with the mobile tower company by permitting such installation against payment of rent.

The grievance of the petitioner is that the permission granting authority has not yet disposed of the application of the petitioner and that of the mobile tower company, for grant of such sanction. It is for the mobile tower company, whose sanction has not yet been granted to approach the Court, if the said company is otherwise aggrieved by the inaction on the part of the panchayat samity. The petitioner does not have any locus to apply for such sanction.

The petitioner also does not have any locus to challenge such inaction. The intention of the petitioner is just to enforce the agreement entered into with the mobile tower company, so that he may earn rent from them.

If the petitioner has any grievance with regard to the enforcement of the agreement, against the mobile tower

company, the petitioner is at liberty to approach the civil court.

The writ petition is misconceived. Hence, the writ petition is dismissed.

All the parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)