

15th December,
2022
(AK)
04

W.P.A 25854 of 2022

Jayanta Ghosh @ Jayanta
Vs.
State of West Bengal and another

Mr. Ajay Debnath
Mr. Devranjan Das

...for the petitioner.

Affidavit-of-service filed in court today be kept on record.

Despite service, none appears for the respondents.

Learned counsel for the petitioner contends that a high voltage transformer has been installed immediately in front of the balcony of the petitioner, thereby creating a palpable electric hazard for the petitioner.

When the petitioner wrote in that regard to the Station Manager, Nabapally Customer Care Center, Barasat of the WBSEDCL, it was informed to the petitioner that after inspection, it had been found that the distance between the building of the petitioner and the installed DTR structure was within the permissible limit as stipulated in the statute.

However, since the petitioner disputes such contention, a factual enquiry on evidence is required to decide the dispute.

Accordingly, WPA 25854 of 2022 is disposed of by granting liberty to the petitioner to approach the

concerned District Magistrate with the grievance as agitated in the present writ petition.

If so approached, the District Magistrate shall give an opportunity of hearing to all concerned and decide the issue in accordance with law.

It is expected that such decision shall be taken at the earliest, preferably within eight working weeks from the date of the approach being made by the petitioner.

It is made clear that the merits of the allegations and counter-allegations have not been gone into by this court.

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.)