

07.02.2025
SI No.1-4
Court No.12
(gc)

**FA 140 of 2015
CAN 5 of 2023**

**Mira Maity & Anr.
Versus
State of West Bengal**

With

**FA 141 of 2015
CAN 4 of 2023**

**Smt. Radha Rani Maity & Ors.
Versus
State of West Bengal**

With

**FA 142 of 2015
CAN 4 of 2023**

**Sarala Maity & Anr.
Versus
State of West Bengal**

With

**FA 143 of 2015
CAN 4 of 2023**

**Sarala Maity & Anr.
Versus
State of West Bengal**

Mr. Kaushik Chowdhury,
Ms. Soumoyadipa Kanu
.....for the Appellants.
Mr. Chayan Gupta,
Mr. Aviroop Mitra
...for the Applicant/WBSEDCL.

1. The affidavit-of-service is kept with the record.
2. Mr. Chayan Gupta, learned Counsel appearing on behalf of the applicant/West Bengal State Electricity Distribution Company

Limited has submitted that by reason of the notification dated 25th January, 2007, the West Bengal State Electricity Board has been dissolved and all assets, liabilities, proceedings, properties of the said Board have been taken over and transferred to the West Bengal State Electricity Distribution Company Ltd. It is, thus, submitted that the order dated 9th February, 2025 by which the West Bengal State Electricity Board was made a party, could not have been passed because of the fact that as on that date the said Board was not in existence. The matter was heard *ex parte* in absence of the Board. The Board could not make any effective representation. The Board was the requiring body and had deposited the compensation amount in the year 2004 prior to the said Board was dissolved.

3. It is submitted that on 3rd August, 2023, the Divisional Engineer of the applicant was served with a letter of even date from the office of the District Magistrate and Collector, Purba Medinipur, requesting for placement of fund for payment of land acquisition compensation amounting to Rs.75,88,413/- and in the said communication, there was a reference of an order dated 19th July, 2023

and upon enquiry, the applicant came to know that an order was passed by enhancing the compensation amount by which the applicant was not aware of, as the applicant was not made a party in the said proceeding.

4. However, in view of the fact that the present applicant was not added as a party respondent, no effective representation could be made on behalf of the present applicant.
5. Under such circumstances, we direct the appellants to serve all the cause papers in connection with the appeals to the applicant/WBSEDCL within one week from date.
6. In spite of service upon the learned Government Pleader and Mr. Soumitra Bandyopadhyay, learned Advocate representing the State, there is no representation on behalf of the State.
7. The matter stands adjourned till **28th February, 2025.**
8. An appropriate notice be served upon Mr. Soumitra Bandyopadhyay, Advocate for the State within a week from date.

(Soumen Sen, J.)

(Uday Kumar, J.)