

2nd March,
2023
(AK)
M/L
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W.P.A 2061 of 2023

Sk. Matiar Rahaman and another
Vs.
West Bengal State Electricity Distribution Company
Limited and others

Mr. Murari Mohan Das
Mr. S.M. Rahaman
Mr. Abdul Habib
Ms. Reshmi Rehman

...for the petitioners.

Mr. Srijan Nayak
Mrs. Rituparna Maitra

...for the WBSEDCL.

Learned counsel for the petitioner submits that the petitioners' land was encroached by the WBSEDCL for giving high tension electricity connection and several electricity poles were installed for such purpose.

It is contended that the petitioners asked for shifting of the said line, alternatively for getting compensation in that regard.

Learned counsel for the WBSEDCL contends that the high tension line-in-question was taken long back, about one year prior to the objection having been raised by the petitioners.

Moreover, as per instruction, learned counsel for the WBSEDCL submits that the said authority has never

encroached or caused any damage to the land of the petitioners in the process at all.

In view of the scope of the dispute being limited to whether the petitioners is entitled to compensation and, if so, to the tune of what amount, the appropriate authority under the statute for deciding such issues is the concerned District Magistrate.

Accordingly, WPA 2061 of 2023 is disposed of by directing the petitioners to approach the concerned District Magistrate having territorial jurisdiction over the area concerned with their dispute regarding compensation as raised by the petitioners in the present writ petition.

Upon such an approach being made formally and in accordance with law, the District Magistrate shall, after giving opportunity of hearing to all concerned, decide the issue as to whether the petitioners are entitled to any compensation, and, if so, of what amount, as expeditiously as possible in accordance with law.

It is expected that the entire adjudication shall be completed by the District Magistrate within eight weeks from the date of the petitioners approaching 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.)