

13th March,
2023
(AK)
02

W.P.A 23322 of 2022

Nitai Chandra Ghosh and others
Vs.
The State of West Bengal and others

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
...for the petitioners.

Mr. Sujit Sankar Koley
...for the WBSEDCL.

Mr. Satyajit Talukder
...for the KMDA.

The limited grievance of the petitioners is that the petitioners' representation for removal of electricity line going over the petitioners' land was not dealt with by the respondent authorities.

Learned counsel for the WBSEDCL submits that the WBSEDCL is not responsible for the line being taken in any manner. The work-in-question was done for the West Bengal Highway Authorities.

It is seen from the annexures that the petitioners have also written to respondent no.4, the Managing Director, West Bengal Highway Development Corporation.

Although it appears that the representation-in-question as regards removal, alternatively for grant of compensation to the petitioners, need not be considered at the level of the Managing Director, the purpose of justice would be sub-served if the petitioners are given liberty to make a fresh representation to the appropriate officer of the Highway authorities for removal of their electricity line from their plot, alternatively for consideration of the issue of whether any compensation is payable to the petitioners; if so, the quantum thereof.

Accordingly, WPA 23322 of 2022 is disposed of by granting liberty to the petitioners to approach the Highway Authorities with a fresh representation asking for removal of the disputed line, in the alternative for adequate compensation.

If such representation is given by the petitioners within a week from date, the appropriate authorities will deal with the same, in accordance with law, as expeditiously as possible.

The respondent no.4, the Managing Director of the West Bengal Highway Development Corporation, shall ensure that the representation, a copy of which shall also be served on the respondent no.4, is dealt with and

disposed of as expeditiously as possible, preferably within a month from the date of making of the same before the West Bengal Highway Development Corporation.

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.)