

28.06.2024
Sl. No.16(DL)
srm

W.P.A. No. 7714 of 2024
Sandip Kumar Panda & Ors.
Versus
The State of West Bengal & Ors.

Ms. Rama Haldar,
Ms. Diya Dutta
...for the Petitioners.

Mr. Sankar Banerjee
...for the WBSEDCL.

Ms. Ashmita Chakraborty
...for the State-respondents.

1. Despite service, none appears on behalf of the respondent No.9. Affidavit-of-service is taken on record.
2. However, as no mandatory orders are passed, which would prejudicially affect the interest of the respondent No.9 at this stage, the writ petition is taken up in his absence.
3. The petitioners contend that the District Magistrate, Howrah has failed to comply with the direction passed by a learned coordinate Bench of this Court in the matter of Kashinath Mondal vs. The West Bengal State Electricity Distribution Company Limited & Ors. (In Re:

WPA No.6760 of 2021) in which the respondent No.9 was the petitioner.

4. It is submitted by the learned Advocate appearing for the State-respondents that the inspection was held, but further development is not available. The petitioners contend that no hearing has yet been held.
5. The learned Advocate appearing for the West Bengal State Electricity Distribution Company Limited submits that the Block Land and Land Reforms Officer, Shyampur-I has submitted a report to the distribution company.
6. I find from the records that the District Magistrate, Howrah had directed the Divisional Engineer, Uluberia Division and the Block Land and Land Reforms Officer, Shyampur-I to cause a joint field inspection in the presence of the interested parties, upon due intimation to the Inspector-in-Charge, Shyampur Police Station.
7. It appears to this Court that the report of such joint inspection should be furnished to all the parties and the matter should proceed, as directed by His Lordship.
8. The writ petition is disposed of with the following directions:

(a) Copy of the report of the joint inspection shall be supplied to the petitioners as also the respondent No.9.

(b) All parties will be allowed to respond to such report.

(c) Upon receipt of the written versions of the parties to the said report and upon perusal of any other document which the parties may produce, the matter shall be decided by the District Magistrate, Howrah, upon granting adequate opportunity of hearing to all. As the petitioners are four in number, a representative of the petitioners will be present at the hearing.

9. Needless to mention, a reasoned order shall be passed and communicated to all.

10. The entire exercise shall be completed within a period of three months from the date of communication of this order.

11. There shall be no order as to costs.

12. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)