

05-11-2024
Item No.26
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.17143 of 2024
Nanigopal Mandal
-vs-
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya
Mr. Sounak Mondal
Mr. Abhirup Halder ...for the petitioner

Mr. D. Mukherjee
Ms. Priyanka Jona ...for the State

Mr. Debjit Mukherjee ...for WBSEDCL

Md. Zeeshanuz Zaman ...for private respondent

1. The petitioner raises objection regarding fixing up of pole for providing electricity connection to the private respondent in the middle of his agricultural plot of land.

2. From the documents annexed to the writ petition it appears that the objection was raised before the District Engineer & Station Manager, WBSEDCL.

3. According to the provision of rule 3(b) of the Works of Licensees Rules, 2006, the District Magistrate is the competent authority to decide the issue.

4. In view of the above, leave is granted to the petitioner to make a comprehensive representation highlighting his grievances before the concerned District Magistrate.

5. On receipt of such representation, the District Magistrate shall consider and decide the same in

accordance with law, after giving reasonable opportunity of hearing to all the necessary parties, and by passing a reasoned order at the earliest, but positively within a period of eight weeks from the date of communication of this order.

6. It will be open for the District Magistrate to take assistance of the concerned Block Land & Land Reforms Officer to find out an alternative place for installation of the subject pole.

7. The writ petition is, thus, disposed of.

8. All parties are to act on the server copy of this order duly downloaded from the official website of this court.

9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

