

September 23, 2024
Sl. No.A 284
Court No.9
s.biswas

WPA 19441 of 2024

Amiya Jana
vs.
The State of West Bengal and others

Mr. Prosenjit Mukherjee	
Mr. Arghya Kamal Das	
Mr. Ishan Bhattacharya	... for the petitioner
Mr. Sumit Kr. Panja	
Mr. Sumit Roy	... for the WBSETCL
Ms. Sanghamitra Nandy	... for the State

1. The petitioner prays that adequate compensation should be given by the West Bengal State Electricity Transmission Company Limited for the installation of high tension lines and towers, overhead as also on the premises of the petitioner.
2. The other contention of the petitioner is that safety and security norms have not been maintained and the line should not be energized.
3. Mr. Panja, learned counsel for the electricity transmission company submits that the authority was never approached with any prayer that the installation of the line had in any way affected the safety and security of the petitioner.
4. Learned counsel for the State submits that the prayer of the petitioner is in terms of the Section 10 of the Indian Telegram Act, 1885.

5. Under such circumstances, the writ petition is disposed of with a direction upon the District Magistrate, Hooghly to treat the writ petition as a representation of the petitioner and pass necessary orders upon hearing the concerned parties and upon holding an inspection. The decision shall be taken in terms of Section 10 of the Indian Telegram Act, 1885, within a period of two months from the receipt of the complaint.
6. The petitioner is also granted liberty to approach the appropriate authority of the transmission company, seeking implementation of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulation, 2023. If the concerned authority of the transmission company receives any such complaint from the petitioner, the authority shall cause an inspection in presence of the petitioner and the implementing agency, and thereby ensure that the safety norms, as per regulation, are maintained.
7. Accordingly, a reasoned order shall be passed and communicated to the petitioner, upon completion of the inspection within two months from date.
8. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)

