

AD-13
Ct No.09
10.01.2024
TN

WPA No. 27179 of 2023

Smt. Aradhana Mukhopadhyay (Santra)
Vs.
West Bengal State Electricity Distribution Company
Limited and others

Mr. Angshuman Chakraborty,
Mr. Shivagi Mitra

.... for the petitioner

Dr. Madhusudan Saha Roy

.... for the WBSEDCL

- 1.** Affidavit-of-service filed today be kept on record.
- 2.** The petitioner's grievance is that despite the Ombudsman having decided the issue of shifting of high-tension electricity line running immediately over the property of the school run by the petitioner and the petitioner having complied with such order by paying half share of the expenses involved, the shifting has not yet been done by the West Bengal State Electricity Distribution Company Limited (WBSEDCL), on the apparent pretext of mass resistance.
- 3.** Such stand is corroborated by learned counsel for the WBSEDCL.
- 4.** Since the shifting is admittedly intended to be done to a property also owned by the Panchayat, which is a public property, the resistance faced by the WBSEDCL in so shifting is a law and order problem of general nature. As such, it is open to

the WBSEDCL to take adequate police assistance in that regard.

- 5.** Hence, WPA No. 27179 of 2023 is disposed of by directing the WBSEDCL to comply with the order of the Ombudsman by shifting the high-tension electricity line running over the property of the school run by the petitioner to the earmarked alternative location situated on public land as expeditiously as possible, positively within one month from date. The WBSEDCL, if faced with any resistance in doing so from any quarter, will be at liberty to approach the local police station for adequate police force to ensure that the WBSEDCL can undertake the task smoothly. If so approached, the Officer-in-Charge, Balagarh Police Station (respondent no.5 herein) shall grant adequate police assistance to the WBSEDCL to undertake such shifting work and conclude the same.
- 6.** All concerned shall act on the server copy of this order, coupled with the written communication by the learned Advocate-on-record for the petitioner, for the purpose of compliance without insisting upon prior production of a certified copy thereof.
- 7.** There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)