

W.P.A. 29855 of 2024
Rabindra Nath Kumar & Anr.
Vs.
The WBSEDCL & Ors.

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Ms. Sagnika Banerjee
Ms. Aishwarya Bajaj
Ms. Sarmistha Basak ... for the petitioners

Dr. Madhusudan Saha Roy ... for WBSEDCL

Affidavit of service is taken on record.

Learned counsel for the petitioners submits as follows.

The petitioners are the owners of Plot No. 1207 in question. The respondent authorities are trying to erect a substation for providing electricity to the private respondent for using a submersible pump. Earlier the private respondent had approached this Court where the present petitioner was the respondent. By an order dated 08.7.2024 passed in WPA 10395 of 2024, a co-ordinate Bench of this Court directed the Assistant Engineer and the Station Manager to make an inspection with the help of the Block Land and Land Reforms Officer and in presence of all the parties, to ascertain the number of the plot on which the pole was sought to be erected. If the said plot was not plot no. 1207, in that event the connection would be granted by installing pole and substation with the assistance of the police authority, if required and at the cost of the petitioner. The electricity distribution company would refer the matter to the District Magistrate, Hooghly, if it was found that the poles were to be installed on the land of the respondent nos. 5 and 6. The poles

are being erected at the petitioners' land. This will block a 'Nala', which will cause flood in the area.

The learned counsel for the WBSEDCL relies on copy of notice and joint inspection report, denies the allegations made in the writ petition and submits as follows. The notice along with the joint inspection report that were handed over to the petitioners have not been annexed with the writ petition. As would appear from the report, a joint inspection was held in presence of all the parties. It was found that the L.R. Plot on which the pole was sought to be erected was 1672. It was further found that two electric poles were already there at the plot. Moreover, according to LR. Mouza Map, LR. 1207 was situated elsewhere. In fact, the substation was being erected in a place which did not fall within L.R. Plot No. 1207 to which the petitioners are objecting to.

It appears from the report of the Revenue Inspector that the electricity connection is being given by erecting poles and / or substation at a plot which is different from Plot No. 1207 that purportedly belongs to the petitioners.

Therefore, no further order need be passed in this regard.

With these observations the writ petition is disposed of, however, without any order as to costs.

As no affidavit called for, the allegations made are deemed not to have been admitted.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(Jay Sengupta, J.)