

25.06.2025
Sl. No.1
Ct. No.15
S.A.

WPA 4612 of 2025

Amiya Saha
-vs-
West Bengal State Electricity Distribution
Company Limited & Ors.

Mr. Pinaki Ranjan Chakraborti
Mr. Sakya Maity
...for the petitioner
Mr. Srijan Nayak
Mrs. Rituparna Maitra
...for WBSEDCL
Mr. Bibekananda Tripathi
Mr. Ram Chandra Guchhait
...for the State

The petitioner claims to be one of the co-sharers in respect of L.R. Plot No. 409, Mouza-Karsar, District-Burdwan.

The petitioner's grievance is that the said land is being utilized by the West Bengal State Electricity Distribution Company Limited (WBSEDCL) for the construction of an electricity sub-station.

The learned advocate appearing on behalf of WBSEDCL submits that the sub-station is intended to serve the need of electricity of the local population.

The report filed by the State indicates that a portion of Plot No. 409 has been vested in the State, and such vested land has been handed over to WBSEDCL for the purpose of constructing the electricity sub-station.

The learned advocate appearing for the petitioner, however, contends that the construction should not proceed without a proper demarcation of the land. It is further submitted that no prior notice was served upon the petitioner before handing over possession of the said portion of the plot to WBSEDCL. Additionally, the pendency of Title Suit No. 93 of 2025 before the Civil Judge (Junior Division), 1st Court, Durgapur, has been cited as a ground to restrain WBSEDCL from proceeding with the construction.

I am, however, not inclined to accept the contentions raised by the petitioner.

By order dated May 7, 2025, the petitioner was directed to file an exception to the report submitted by the State. Instead, the petitioner filed a supplementary affidavit, enclosing a copy of the plaint in Title Suit No. 93 of 2025.

The fact of vesting of a portion of L.R. Plot No. 409 in the State has not been disputed. Therefore, the petitioner cannot object to the construction of the electricity sub-station on land that stands vested in the State.

In view of the above, the writ petition is disposed of with the following directions:

The concerned Block Land and Land Reforms Officer shall identify and demarcate the portion of L.R.

Plot No. 409 to be utilized for the construction of the electricity sub-station.

In the process of identification, demarcation, and handing over of possession to WBSEDCL, due notice shall be given to the petitioner.

The Officer-in-Charge of the local police station is directed to extend all necessary assistance to the Block Land and Land Reforms Officer in carrying out the demarcation process.

Accordingly, **WPA 4612 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)