

02.09.2025
Sl. No. 98
AMR
Ct.No.15

WPA 7109 of 2024
Nanigopal Nanda
-vs.-
West Bengal State Electricity Distribution
Company & Ors.

Mr. Pinaki Ranjan Mitra

...for the petitioner

Mr. Mohit Gupta
Mr. S. Nanda
Ms. Suparna Das

...for the Respondent nos. 6 to 12

Dr. Madhusudan Saha Roy

...for the WBSEDCL

This writ petition has been filed with a prayer for shifting an overhead high-tension electricity line running over the property of the petitioner as well as the adjoining lands of other villagers.

It appears that, pursuant to the petitioner's request for shifting the said line, an inspection was carried out by officials of the WBSEDCL to explore the feasibility of laying underground cables for the said purpose.

A report submitted by WBSEDCL before this Court records its position. The said report is directed to be taken on record. The report, *inter alia*, reads:

"4. For lying of the proposed 2 (two) numbers of underground 11 KV cables, a trench of about 1 (one) meter width and 1 (one) meter depth will be required. The cable will be laid by excavating soil of the above dimension. Thereafter, the cable shall be protected with sand cushioning and brick covering followed by proper backfilling of soil, strictly as per WBSUEDCL specifications and safety guidelines.

5. After completion of laying and charging of the cable, the said kuchha road will be fully restored and safe for use by the local people for their regular movement/communication.

6. At present, due to water logging in a large portion of the adjoining agricultural land, the shifting work cannot be carried out. The work will be possible only after the water dries out.

7. WBSUEDCL is willing to shift the 11 KV overhead line from the petitioner's land by laying underground cable along one side of the said kuchha road, as shown by the petitioner. The work will be taken up as soon as the water logging clears and with adequate police protection to handle any public objection or law-and-order issues, if they arise."

It is also acknowledged by WBSUEDCL that the petitioner has already deposited a sum in excess of ₹4,93,000/- towards completion of the work.

The proposal for shifting the overhead line into an underground line has been opposed by the learned Advocate appearing for respondent nos. 6 to 12, on the ground that the relevant road is narrow and unsuitable for laying underground cables.

This Court, however, fails to appreciate the basis of such objection. When the expert authority, upon due inspection, has found it feasible to shift the

overhead line by laying underground cable, and particularly when the entire cost is being borne by the petitioner, respondent nos. 6 to 12 cannot have any valid objection to such proposal.

In view of the above, this writ petition stands disposed of with a direction upon WBSEDCL to implement the work of laying underground cables within a period of three months after the end of the ongoing monsoon season.

The officials of WBSEDCL shall be at liberty to seek assistance from the local police station for implementation of this order. The cost of such police assistance shall be borne by the petitioner.

With the aforesaid observations and directions, the present writ petition, being WPA 7109 of 2024, stands **disposed of**.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Kausik Chanda, J.)