

04
15.07.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15220 of 2025

**Joya Das Adhikari & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Samim Ahammed,
Mr. Samaresh Chakraborty,
Mr. Arka Maiti.
...For the Petitioners.**

**Mr. Biman Halder.
...For the State.**

**Mr. Arindam Chandra,
Mr. Atish Ghosh,
Ms. Antara Dey.
...For the Respondent No.5.**

1. Affidavit of service filed in Court today is taken on record.

2. The matter relates to installation of mobile tower. A mass objection against installation of the mobile tower was filed before the District Magistrate, Paschim Medinipur on 26th May, 2025. The same is yet to be disposed of.

3. The service provider is continuing with the work of construction and the learned advocate for the service provider submits, upon instructions that, the construction of the base level of the tower is complete.

4. As per the West Bengal Telecom Infrastructure Guidelines 2023, the District Magistrate is the competent authority to take a decision on any objection raised against installation of mobile tower.

5. In view of the above, the instant writ petition is disposed of by directing the District Magistrate, Paschim Medinipur being the respondent no.3 herein to consider and decide the objection raised against installation of the mobile tower strictly in accordance with the prevailing guidelines upon affording an opportunity of hearing to all the necessary parties and, if required, upon causing a spot inspection of the site where the installation is sought to be made.

6. A decision shall be taken in the matter at the earliest but positively within a period of thirty days from the date of communication of this order.

7. If the grievance of the petitioners appears to be proper, then necessary remedial steps shall be taken by the District Magistrate.

8. Learned advocate appearing on behalf of the petitioners is directed to forward the subject objection along with all other relevant documents to the District Magistrate at the time of communicating the order of the Court.

9. The writ petition stands disposed of.

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

(Amrita Sinha, J.)