

29-10-2025
Item No.431 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.25419 of 2024
Siddhartha Garai & Anr.

-vs-

The State of West Bengal &Ors.

Mr. Gautam Banerjee
Mr. Raja Ghosh ...for the petitioners

Ms. Antara Dey
Ms. Neha Gupta ...for respondent no.6

1. The petitioners allege that the mobile service provider has illegally and arbitrarily constructed a mobile tower over the plot of the petitioners without taking their consent and contrary to the provisions of law. Objections were raised before the concerned Block Development Officer and the Panchayat authority, but there is no response to the same.
2. Learned counsel for the service provider, the sixth respondent, opposes the allegation of the petitioners and submits that the construction has been made after obtaining the necessary permission/sanction from the competent authority.
3. As it appears that the grievance of the petitioners is yet to be redressed, accordingly, leave is granted to the petitioners to file a fresh appropriate objection disclosing all facts and figures before the District Magistrate, Hooghly.
4. In the event such objection is made, the same

shall be considered by the District Magistrate strictly in accordance with the relevant guidelines, after giving reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order at the earliest but positively within twelve weeks from the date of submission of the objection.

5. If the grievance of the petitioners appears to be proper, then necessary remedial steps shall be taken by the concerned authority without any further delay.
6. The writ petition is disposed of.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

