

09  
28.02.2025  
Court No. 14  
AGM

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

**W.P.A 27824 of 2024**

**Manik Chandra Bairagi & Ors.  
-versus-  
The State of West Bengal & Ors.**

**Mr. D. Banerjee.  
...For the Petitioners.**

**Mr. S. Mukherjee.  
...For the WBPCB.**

**Mr. Arindam Chandra.  
Mr. Asish Ghosh.  
Ms. Antara Dey.  
...For the Respondent No.9.**

**Mr. Indrajeet Dasgupta.  
Ms. Puspita Bhowmick.  
... For the respondent no. 6.**

**Mr. Bishwambhar Jha.  
Mr. K. K. Jha.  
Ms. Munmun Mishra.  
... For the respondent no. 7.**

**Mr. Lalit Mohan Mahata. A.G.P.  
Mr. Prasanta Behari Mahata.  
... For the State.**

1. Leave is granted to the advocate on record for the petitioners to implead the District Magistrate, South 24 Parganas as party respondent in the instant writ petition and serve a copy of the writ petition upon the added respondent. The State is represented by the learned Additional Government Pleader.

2. The petitioners are aggrieved by the act of the mobile service provider in taking steps for installation of mobile tower.

3. It has been submitted that off late a representation has been filed by the petitioners before the District Magistrate, which is pending consideration.

4. Without entering into the merits of the claim of the petitioners at this stage, as it appears that the objection filed by the petitioners is pending consideration before the District Magistrate, accordingly, the instant writ petition is disposed of by directing the District Magistrate, South 24 Parganas to consider and dispose of the representation filed by the petitioners in February 2025 in accordance with law and the prevailing guidelines, after giving reasonable opportunity of hearing to all the necessary parties including the objectors and the service provider and by passing a reasoned order which shall be communicated to all the parties.

5. Steps shall be taken in the matter at the earliest but positively within a period of six weeks from the date of communication of this order.

6. The receipted copy of the representation filed before the District Magistrate, Alipore, South 24 Parganas in February 2025 be retained with the records.

7. Learned advocate for the petitioners is directed to forward a copy of the representation and all other relevant documents to the District Magistrate at the time of communicating the order of the Court.

8. The writ petition stands disposed of.

9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**( Amrita Sinha, J.)**