

26.03.2025
Sl. No.35
akd

W. P. A. 29404 of 2024

[Gopal Naskar&Anr. -Vs- State of West Bengal& Ors.]

Mr. Bhaskar Ch. Manna
Ms. Munmun Seth

... .. for the petitioners

Mr. Sumit Kumar Panja
Mr. Sumit Ray

... .. for the WBSETCL

1. Petitioners have filed the present writ petition on the apprehension that the respondent-WBSETCL will draw the high tension line for providing electricity connection to various other users over their land.

2. It is the case of the petitioners that they had purchased a land situated at Mouza- Sonagachi, J.L. No- 56, L.R. Khatian No.- 842, L.R. Plot No.- 198 measuring 15 decimal, 10 deciman and plot no.- 204 measuring 5 decimals under P.S.- Baruipur, Dist- South 24 Parganas by a registered sale deed on 16.03.2021, with an intention to construct a residential house over the said premises. Suddenly, the petitioners came to know that a High Tension line will be drawn up on the said premises of the petitioner for supply of electricity to the villagers. After knowing the alleged drawn up of the High Tension line several representations were made by the petitioner before the respondent-WBSETCL.

3. Learned Advocate for the respondent-WBSETCL submits that no such representation has ever been made to their office. It is contended that by mistake the petitioners have approached the distribution company instead of the transmission company

and consequently, WBSETCL is unaware of the grievance raised.

4. Be that as it may, this Court directs the respondent-WBSETCL, to consider the present writ petition as the representation of the petitioners and decide the same within a period of four weeks from the date of communication of this order, after affording an opportunity for hearing to the petitioners as well as the other interested parties.

5. It is apparent from the record that the petitioners had purchased the property lawfully in the year 2021 with an intent to develop the same for residential purposes. Mere inadvertence in making representations before the incorrect authority cannot be held against the petitioners so as to deprive them of their lawful rights and enjoyment of the said property in question.

6. Without expressing any opinion on the merits of the matter, this Court directs the respondent-WBSETCL to decide the representation of the petitioners in terms of the directions mentioned above.

7. With the aforesaid directions, the present writ petition is disposed of.

8. There shall be no order as to costs.

9. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(GaurangKanth, J.)