

WPA 24454 of 2026

14.09.26
D/L
Sl-09
Ct. 07
(Samar)

Binoy Kumar Das
-Vs-
The State of West Bengal & Ors.

Mr. Sarbananda Sanyal,
Mr. Samrat Chakraborty,
...for the petitioner.

Dr. Madhusudan Saha Ray,
Mr. Debanjan Chatterjee,
Ms. Debangana Dey,
....for the WBSEDCL.

Mr. Anirban Das,
Mr. Sanjit Singh,
.....for the State.

1. Report filed on behalf of the WBSEDCL authorities is taken on record.
2. The petitioner is aggrieved by non consideration of the petitioner's representation dated July 16, 2026 made before the respondent WBSEDCL authorities alleging forceful occupation and utilisation of the petitioner's land for the purpose of commissioning a sub-station without paying any compensation therefor.
3. The petitioner has prayed for issuance of a writ of mandamus restraining the respondent authorities from forceful installation of the power station over the plots of land which the petitioners are allegedly possessing without paying any compensation therefor to the petitioner.
4. Mr. Sanyal, learned advocate appearing for the

petitioner submits that the petitioners are cultivating the land in question and installation of power station thereat, would cause substantial damage to the petitioner's property and the petitioner would be entitled to compensation in such case.

5. Dr. Saha Ray, learned advocate appearing for the respondent WBSEDCL authorities submits that transmission towers for the purpose of the sub-station have already been installed and that the petitioner is not in physical possession of the property in question. It is further submitted that the property in question is a vested land and the petitioner is not the owner thereof.
6. Since a representation has been made before the respondent WBSEDCL authorities, it would be proper for the respondent no. 5 i.e. the Zonal Manager, WBSEDCL, Murshidabad to decide the petitioner's representation dated July 16, 2026 (annexure P-5 of the writ petition) in accordance with law, upon giving an opportunity of hearing to the petitioner within a period of six weeks from date.
7. The petitioner will be entitled to produce all documents in support of the petitioner's case as regards the petitioner ownership and occupation of the land in question. The aforesaid authority shall

pass a reasoned order and communicate the same to the petitioner within a week from passing thereof.

8. It is made clear that of this Court has not gone into the merits of the petitioner's case and the objection of the WBSEDCL authorities and all points are left open to be decided by the respondent no. 5 in accordance with law.

9. Accordingly, WPA 24454 of 2026 stands disposed of. No Costs.

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

(Om Narayan Rai, J.)