

02/12/2020
Item No.13 SL
AB/S DE

Through Video Conference

W.P.A. 9860 of 2020

**Anjan Kumar Duari & Others
-Vs-
The State of West Bengal & Ors.**

Nobody applied for link on behalf of the petitioners.

Nobody also appears for the State. However, this, being a Public Interest Litigation, we have looked into the material papers available before us.

From the papers, it appears that the allegation of the petitioners is that certain illegal constructions are being made on canals.

We direct the 2nd respondent being the District Magistrate, Paschim Medinipur to conduct requisite enquiry into the matter in the light of the allegations made in the writ petition and take a reasoned decision in accordance with law, after giving an opportunity of hearing to all parties concerned, who may be affected by the decision.

Let the entire exercise be completed within a period of three months from the date of receipt of a copy of this order along with a copy of the writ petition by the 2nd respondent.

Needless to say that if the 2nd respondent finds substance in the allegations made by the petitioners, appropriate remedial steps will be taken by him.

We make it clear that we have not gone into the merits of the case. It will be for the 2nd respondent to take an informed decision in accordance with law.

Since no affidavits have been called for or considered, the allegations contained in the writ petition shall be deemed not to be admitted by the respondents.

WPA 9860 of 2020 is, accordingly, disposed of.

(Thottathil B. Radhakrishnan, C.J.)

(Arijit Banerjee, J.)