

Item No. 119

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

23.03.2021
Ct-24

W.P.A. 3975 of 2021
Khaled Ali Mondal
v
The State of West Bengal & Ors.

Mr. Suman Chakraborty
Mr. Amit Singh
... for the petitioner.

Mr. Ansar Mondal
Mr. Sougata Mitra
... for the State respondents.

The primary allegation of the petitioner is that the Public Health & Engineering Directorate with the tacit assistance of the Pradhan of the Polba Gram Panchayat and the Block Land & Land Reforms Officer, Polba is taking steps to install an underground water pipeline beneath his private land in R.S. Dag No. 70, L.R. Dag No. 79, Mouza-Sarangpur, J.L. No. 111.

The petitioner made representation before the respondent authorities by letter dated August 8, 2018 and complains that the same has not been considered by the respondent authorities till date.

As the petitioner complains that his representation has not been considered by the

respondent authorities till date, accordingly, the instant writ petition is disposed of by directing the respondent no. 4 being the Executive Engineer, Hooghly, Public Health Engineering Directorate to take steps to consider the representation made by the petitioner, strictly in accordance with law, at the earliest, but positively within a period of ten weeks from the date of communication of a copy of this order. The said respondent shall afford an opportunity of hearing to the petitioner and all other necessary parties prior to taking a decision in the matter. The said respondent shall pass a reasoned order and communicate the same to all the parties immediately thereafter.

If the aforesaid respondent is of the opinion that the pipeline has been laid beneath the private land of the petitioner without following the due process of law, then necessary steps shall be taken by the said respondent to deal with the alleged illegal act, at the earliest.

WPA 3975 of 2021 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)