

13.09.2021
rc/ct.no.10
Item No.23

WPA No. 3998 of 2021
Chandan Karmi & Anr.
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Ashim Kumar Routhfor the petitioners

Mr. Susovan Sengupta

Mr. Srikanta Paul ...for the State

The petitioners' grievance is that the private respondent is filling up a pond situated in Dag No. 38, J.L.No. 101, Khatian No. 436, Mouza – Saheb Khan Kerani Barh. The petitioners filed several applications before the Block Land and Land Reforms Officer for redressal of such dispute but the applications have not been considered till date.

Learned advocate appearing on behalf of the State-respondents submits that the Assistant Engineer, PWD Department, Contai Sub-Division, the respondent no. 5 herein, has already taken measurement of the pond in question and have issued notice upon all the affected parties for dealing with the matter.

Learned Advocate appearing on behalf of the petitioners submits that the private respondent has again started raising construction by encroaching upon the pond in question.

Having considered the submissions made by the learned advocates appearing on behalf of the parties and

the material on record, I dispose of the writ petition with a direction upon the respondent no. 5 to complete the proceeding after giving opportunity of hearing to all the affected parties within a period of three months from the date of communication of this order, in accordance with law.

In the meantime the private respondent, or for that matter, any party is restrained from raising any construction over the disputed pond.

With the above observations and directions, this writ petition being WPA No. 3998 of 2021 is disposed of.

There shall be, however, no order as to costs.

Since no affidavits are invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh,J)