

Court No. 24
23.03.2021
(Item No. 138)
(AB)

W.P.A 5219 of 2021

Sk. Jahangir Hossain
vs
The State of West Bengal & Ors.

Mr. Amit Baran Dash
..... for the petitioner
Mr. Bibek Jyoti Basu
Mr. Uttam Kumar De
... for the State

Affidavit of service filed in Court is taken on record.

The petitioner complains that the villagers are forcefully digging a drain in his private land.

The petitioner immediately complained about the aforesaid illegal act before the Pradhan of the Gram Panchayat and also before the Block Development Officer.

The Sub-Divisional Officer, Egra, Purba Medinipore by a communication dated 27.03.2020 directed the Block Development Officer, Bhagwanpur – I to enquire into the matter and submit an enquiry report.

The Revenue Inspector, Benudia RI office, Bhagwanpur – I Block by a communication dated 22nd June, 2020 intimated the Block Land and Land Reforms Officer that the construction was being made in an illegal manner.

The Sub-Divisional Officer thereafter by a communication dated 8th October, 2020 forwarded all

the papers to the Officer-in-charge of the Bhagwanpur Police Station for taking necessary action in the matter.

The Officer-in-charge of the Bhagwanpur Police Station by a communication dated 20th February, 2021 intimated the Pradhan to take necessary steps to remove the concrete pipeline and fill up the illegal drain in the bastu land of the petitioner and to intimate the Police Station if any assistance is required at the time of removal of the aforesaid pipeline.

The petitioner complains that the Pradhan has not acted in terms of the direction passed by the Officer-in-charge.

The petitioner made several representations before the authority concerned, but none of them has been considered by the respondent authorities till date.

From the documents annexed to the writ petition it appears that the respondent authorities have already taken steps pursuant to the complaint lodged by the petitioner. Direction has been passed for removal of the pipe lines. The learned advocate representing the State respondents submits, upon instructions that, the Block Development Officer has sought for some time for dealing with the issue in question.

In view of the aforesaid submission made by the learned advocate representing the State respondents including the Block Development Officer, the time to comply the direction of removal of concrete pipeline from the private bastu land of the petitioner is granted till 13th June, 2021. By the said date all underground pipe lines shall be removed.

The respondent authorities shall ensure that the private land of the petitioner is not being encumbered or encroached by laying underground pipe lines by the villagers in any manner whatsoever.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)