

12-08-2021
ct no. 13
Sl.123
sp

WPA 11491 of 2021

Nandarani Naskar

-Versus-

State of West Bengal & Ors.
(Via Video Conference)

Mr. Pawan Kumar Gupta,
Mr. Hasanuz Zaman,
Mr. Sultan Ahmed Mondal

...for the petitioner

Mr. Tapan Kr. Mukherjee, Id. A.G.P.,
Mr. Shamim ul Bari

...for the State

Mr. Anjan Dutta,
Mr. Tamal Ghosh

...for the private respondents

The writ petitioner is aggrieved by non-consideration of his representation dated 07.12.2020 made before the S.D.O. and B.L. & L.R.O., Canning. The petitioner complains that the electrical submersible pump installed on the premises jointly owned by the petitioner and the private respondents, is contrary to Section 7 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005.

Counsel for the private respondents submit that the petitioner ought to have made a representation before the District Level Authority of which District Magistrate is one member. Counsel for the private respondents also submits that there is no electrical submersible pump

installed in his premises. There is only old abandoned well.

Be that as it may, since the petitioner has made a representation dated 07.12.2020, let the District Magistrate, South 24-Parganas refer the complaint to the appropriate authority i.e. the District Level Committee under the aforesaid Act of 2005. The Committee shall consider and dispose of the petitioner's representation in accordance with law after hearing the petitioner as well as the private respondents.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)