

16-08-2021
ct no. 13
Sl.60
sp

WPA 11925 of 2021

Falguni Das & Ors.

-Versus-

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Kallol Basu,
Ms. Salma Sultana Shah

...for the petitioners

Mr. Lalit Mohan Mahata, Sr. Govt. Adv.,
Ms. Jhuma Chakraborty,
Mr. Debasish Ghosh

...for the State

Mr. Sourav Sen,
Ms. Soumashree Ghosh

....for the respondent no.12

The writ petitioners are engaged in Pisciculture in various water bodies under Mouza- Gabgachi, Dag No. 651, J.L. No. 100, Block and P.S.- English Bazar, Dist.- Malda.

The petitioners complain that the Irrigation Department, Jadupur – 2 Gram Panchayat has been dumping waste and drainage water into their ponds, as a consequence thereof, the petitioners are unable to conduct their business.

It is also submitted that severe loss and damages have been suffered by them as a consequence of such action of the Irrigation Department, Jadupur – 2 Gram Panchayat.

The petitioners have made a representation dated July 12, 2021, which has not been considered till date. Earlier assurances in meeting

held with the District Magistrate, Malda have not yielded any result.

In that view of the matter, the District Magistrate, Malda shall immediately consider the petitioners' representation, after giving personal hearing to the petitioners and/or their legal representatives, as also the Pradhan, Jadupur – 2 Gram Panchayat and pass suitable orders.

It is expected that the District Magistrate, Malda shall take up the matter immediately preferably within the next 10 days. If it is necessary, the District Magistrate may pass immediate orders to protect the petitioners' business. It is also expected that the representation of the petitioners is disposed of by the District Magistrate positively and mandatorily within a period of 45 days from date. A reasoned order may be passed and the same may be communicated to the petitioners within a week thereof.

In the event, any claim for compensation is made by the petitioners, the same may be suitably dealt with by the District Magistrate, Malda in accordance with law.

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.)