

22.12.2022
Court No. 19
Item no.08
CP

WPA No. 10276 of 2021

Mathurapur Nivedita Mahila Samity & anr.
Vs.
The State of West Bengal & Ors.

Mr. Karunamoyee Samanta
...for the petitioners.

The petitioners pray for a direction upon the pradhan, Mathurapur Purba Gram Panchayat not to give effect to the letter dated March 19, 2020. The Pradhan alleged that the petitioners were filling up a water body without proper conversion. The petitioners were asked not to fill up the pond and to immediately stop such process.

The petitioners rely on a document which indicates that the pradhan, Mathurapur Purba Gram Panchayat had issued a certificate on June 2, 2018 indicating that the authority did not have any objection to the conversion.

Under the West Bengal Land Reforms Act, the appropriate authority to grant change of user of land and/or change of classification of the land, would be the Block Land & Land Reforms Officer. The classification of the land as per the record of right continues to be 'Jal' and 'Doba'. Thus, the prayer of the petitioners to permit the activity of filling up the alleged water body on the basis of the 'no objection'

of the panchayat, cannot be allowed by the court. At best, the 'no objection' granted by the panchayat authorities can be an additional document which may be filed in case the petitioner prays for conversion before the appropriate authority.

The writ petition merits no consideration and is accordingly disposed of without any orders.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)