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jdt.

17.08.2022
jb.

W.P.A. 16035 of 2019
(Bharati Bar vs. State of West Bengal & Ors.)

Mr. Sayan Chattopadhyay
Rokon Ali
Mr. Koustav Sen
.... For the Petitioner

Mr. Jaharlal De
Mr. Supratim Dhar
.... For the State

Mr. Ankit Agarwala
Ms. A. Mukherjee
Mr. Rabin Basu
.... For the Private Respondent Nos. 11 & 12

The petitioner's grievance is that the private respondents have filled up the water body in L.R. Dag No. 325, Khatian No. 356, J.L. No. 37 comprising an area of about 1.431 acres. The Assistant Director of Fisheries, Hooghly by a letter dated 8th February, 2016 directed the private respondents to restore the water body and start pisciculture therein, which was not heeded to by the latter.

The petitioner submitted representation before the 7th respondent on 2nd July, 2019 in this regard which is yet to be disposed of. The petitioner prays for a direction upon the 7th respondent to consider the representation at the earliest.

It is submitted on behalf of the State respondents that vide Notification No. 1748-Fish/C-I/9R-03/2017 dated 20th July, 2017 the Executive Officer of the

Municipality has been authorised to deal with the representation submitted by the petitioner.

In view of the above, the writ petition is disposed of directing the 7th respondent to consider and dispose of the representation submitted by the petitioner dated 2nd July, 2019 within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the parties shall be at liberty to place their respective contentions before the authority at the time of hearing.

W.P.A. 16035 of 2019 is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)