

39 12.09.2022

gd/ssd

WPA(P)/389/2022
SUBHAS CHANDRA RAUT AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Pradip Paul,
Mr. Gourab Ghosh

..for the Petitioners.

Mr. T.M. Siddiqui,
Mr. Yash Sindhi

..for the State.

The grievance raised in this public interest petition is that there is a basin drainage (Nayanjuli) adjacent to the Contai to Kharagpur Pacca Road for outlaying the excess water coming from the Mouza through Plot Nos.893, 891 and 1199, Plot No.897 which are the adjoining plot. Further plea is that during the rainy season rain water of the aforesaid Mouza is outlaid through the above agricultural land connected with the main basin drainage. The grievance of the petitioners is that the private respondents without conversion of the land in question as “Bastu land” had filled up the said agricultural land for construction, as a result of which, the excess rain water is flooding the land.

The record reflects that the petitioners have made the representation in this regard and the District Magistrate vide communication dated 26.05.2022 has

forwarded it to the respondent no.3 i.e. Sub-Divisional Officer, Kharagpur for taking the appropriate action and for sending the action taken report.

The submission of learned counsel for the petitioners is that no action has been taken by the respondent no.3 on the basis of the communication dated 26.05.2022.

Learned counsel for the State does not dispute that the appropriate action in terms of the said communication is required to be taken.

Hence, we dispose of the present petition by directing the respondent no.3 to take appropriate action on the basis of the communication dated 26.05.2022 and submit the action taken report before the District Magistrate within a period two months from today. On receipt of the said report, the District Magistrate will take appropriate action in accordance with law expeditiously.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

