

WPA(P) 341 of 2021

**Muktar Sk & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Mritunjoy Chatterjee
Mr. Md. G.N. Imrohi

... .. for the petitioners

Mr. T.M. Siddiqui
Mr. Nilotpal Chatterjee

... .. for the State

Mr. Taposh Kumar Mondal

... .. for the respondent no.16

This public interest petition is at the instance of the local residents doing cultivation on their land besides river Bhairav at Islampur, Murshidabad. The allegation of the petitioners is that there is white sand available in the river site which belongs to the State but the illegal mining of this white sand is in progress.

In this public interest petition the petitioners have made a prayer to direct the respondents to take appropriate steps against illegal and unauthorized sand extraction.

On the direction of this Court the report in the form of affidavit-in-opposition at the instance of the respondent no.6 has been filed disclosing that the white sand is available in the river bed of the river Bhairab and that mining lease has been granted to four lessees.

The affidavit further reveals that apart from the mining of the sand on the basis of the mining lease some unscrupulous sand brokers were illegally extracting the sand, therefore on the complaint of the writ petitioners the Block Land and Land Reforms Officer, Berhampore

Sadar was directed to inquire into the matter and take action.

The affidavit reveals that subsequently illegal excavation and transportation of sand in that area has completely stopped and the FIR No.235 of 2021 dated 31st December, 2021 has been registered on the complaint of Block Land and Land Reforms Officer, Berhampore Sadar. It has also been stated that the authorities are keeping continuous vigil to stop illegal extraction and carrying of sand from the river bed in the concerned area.

In view of the facts disclosed in the affidavit-in-opposition, we are of the view that the grievance raised by the petitioners has adequately been redressed. However, in future if it comes to the knowledge of the petitioners that any illegal sand mining is being done in the area concerned then they will be at liberty to make a complaint to the concerned Block Land and Land Reforms Officer, who on receipt of the complaint will take immediate prompt action to stop the illegal extraction of sand.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)