

07.09.2022
Sl. No.3(SL)
srm

W.P.A. No. 20353 of 2022
Bikramjit Mridha & Ors.
Vs.
State of West Bengal & ors.

Mr. Gaurav Kumar Basu
.....for the Petitioners.

Mr. Pantu Deb Roy,
Mr. Anand Farmania
.....for the State-respondents.

The writ petition is misconceived.

The petitioners pray for an order upon the panchayat authorities to stop the pisciculture of the respondent Nos.9 to 21.

It is submitted by the state respondents that there is a separate law operating in the field, namely, the Coastal Aquaculture Authority Act, 2005. The panchayat authorities are not empowered under the said law to deal with the allegations of illegal conversion of agricultural land to fisheries, for prawn cultivation.

Under such circumstances, no order can be passed in this writ petition.

The petitioners are granted liberty to file a composite complaint in terms of the provisions of the relevant applicable law, before the appropriate authority. If

such application is filed, the same shall be disposed of within a period of four months from the date of petitioner's complaint/representation upon hearing all the interested parties.

The correctness of the allegations made by the petitioners, are not gone into. All issues have been kept open.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)