

13 19.12.2022

gd/ssd

WPA(P)/617/2022

ARDHENDU NAG

VS

THE STATE OF WEST BENGAL & ORS.

Mr. Sibasis Ghosh,
Mr. Kausik Bhattacharya,
Mr. Sutanu Chakrabarti,
Mr. Arkoday Mukherjee
..for the Petitioner.

Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Mallick
..for the State.

Mr. Somnath Bose
..for the Respondent No.15.

Ms. Susmita Chatterjee
..for WBSEDCL.

In this public interest petition the petitioner has raised an issue that on both side of the VIP road encroachments have been made which are causing obstruction to free movement of people. Further allegation is that in that precious trees have been destroyed, nuisance has been caused and ecological problems have been created. It is also the allegation of the petitioner that the encroachments even exist on footpath, vacant space, canal side road and the forest area on the side of the VIP road.

When the matter is taken up, learned counsel for the petitioner has pointed out that the petitioner's representation dated 28.12.2022 is pending before the respondent no.5 i.e. District Magistrate, North 24-

Parganas.

Learned counsel for the State has no objection in considering the said representation.

Hence, we dispose of the present petition directing the respondent no.5 i.e. District Magistrate, North 24-Parganas to duly consider the grievance raised by the petitioner in the representation dated 28.12.2022 in accordance with law. It will be open to the District Magistrate to call for the report from the other authorities or to refer part of the matter to any other competent authority if that part of allegation is found to be outside the jurisdiction of the District Magistrate. The District Magistrate may also get the spot inspection report and give an opportunity of hearing to all the concerned parties.

If any unauthorised encroachment is found on the spot, then necessary expeditious steps will be taken in accordance with law.

Let this exercise be completed within a period of two months from the date of receipt of a copy of the order.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

