

December 19, 2022
AD 12
Court No.1
SG

WPA(P) 619 of 2022

Monitosh Das and others
vs.
The State of West Bengal and others

Mr. Atarup Banerjee,
Mr. Arindam Sen,
Mr. Saurav Basu, Advocates

....for the petitioners

Mr. Nilotpal Chatterjee,
Mr. Amrit Lal Chatterjee, Advocates

....for the State

Affidavit of service filed by petitioners is taken on record.

Learned counsel for petitioners submits that a land in Plot No.816, Khatian No.2161 and 2162, JL No.105, Mouza-Matukpur is in the nature of a doba(pond)(waterbody) which has been purchased by private respondent Nos.11 and 12 and no application for changing the nature of the pond has been made by them but they have installed a submersible pump without sanction and are lifting water from the pond. It is further alleged that they have already filled up the pond and raised an unauthorised construction and that by taking the ground water they are running a water packaging industry in the name of 'Sunrise Pure Mineral Water'. He has also submitted that the concerned area has been declared as critical zone and if the private respondents are allowed to continue with such activities then the other villagers will suffer the scarcity of water.

Learned counsel for petitioners has pointed out that the representation dated 28.11.2022 was made to respondent no.3, Block Development Officer, Pandua Block but no action has been taken on the said representation.

Learned counsel for the State has submitted that the Block Development Officer can look into the entire issue.

Hence, we dispose of the present petition directing respondent No.3, Block Development Officer to duly consider the petitioners' representation dated 28.11.2022 and conduct an inquiry, if required and take appropriate decision in accordance with law after giving opportunity of hearing to all the concerned parties.

Let this exercise be completed within a period of 2 months from the date of receipt of the copy of this order.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]