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03.03.2022.
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Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction

W.P.A. 357 of 2022
(via video conference)

Raju Baraik
-versus
The State of West Bengal & Ors.

Mr. Jagriti Mishra
Ms. Manika Barman
Mr. Subham Gupta
Mr. Debayan Goswami
...For the Petitioner.

Mr. Subir Kumar Saha, Ld. A.G.P.
Mr. Momenur Rahman
... For the State

The petitioner is a resident of Jharip Line in Aibhil Tea Garden. The area in question is surrounded by two streams of the river Kurthi. According to the petitioner, the inhabitants of the said locality, for the purpose of reaching Chalsa from Angoo Line has to cross the two rivers and from Jharip Line has to cross one river.

The petitioner submits that the bridge which stood there got washed away by the rains. Due to non availability of the bridge the petitioner and other members of the locality cannot cross the river and it is very difficult to move out from the locality.

The petitioner along with other inhabitants of the locality made representations before the authority from 2014 onward and alleges that the representations have not been taken into consideration by the respondent authorities till date.

Learned advocate representing the State respondents submits, upon instruction, that Jharip Line in Aibhil Tea Garden is on the bank of the river Kurthi and there is one channel locally known as Jahadi Nadi. It has been admitted that a bridge over the said Jahadi Nadi which is nearly 30 meters long has been damaged. It has, however, not been admitted that there is no other alternative route than to use the said bridge for access to the outside world. It is one of the alternative routes for the inhabitants.

The Block Development Officer has given instruction that every possible action for reconstruction of the bridge has been undertaken and several visits to the spot to have a firsthand knowledge of the situation on the basis of the damage report was forwarded to the Additional District Magistrate (Development), Jalpaiguri.

It appears from the submissions made on behalf of both the parties that admittedly the bridge in question is no longer available to the inhabitants for using the same. The inhabitants of the locality are facing a problem due to non availability of the bridge and they are restrained from carrying on their day to day activities as the bridge is no longer in existence.

The petitioner has requested the respondent authorities praying for reconstruction of the bridge. The representations have not been answered till date.

As the life and livelihood of several inhabitants of the area in question is involved and the bridge is one of the important way of communication between the main land and the

area in question, accordingly, the Block Development Officer is directed to take all necessary steps to ensure that the bridge in question is re-constructed at the earliest.

Damage report has already been forwarded by the Block Development Officer, Matiali to the Additional District Magistrate (Development), Jalpaiguri. The said authority shall also take necessary steps to ensure that the bridge is restored/reconstructed and the members of the locality get the advantage of the bridge. Positive steps shall be taken in the matter at the earliest.

The writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, after completion of all legal formalities.

(Amrita Sinha, J.)