

16.01.2023
Sl. No.22(DL)
srm

W.P.A. No. 380 of 2023
Swapan Pal
Versus
State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh,
Mr. Kapil Chandra Sahoo

....for the Petitioner.

Ms. Sipra Majumder,
Ms. Prativa Ghatak

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner claims that the right, title and interest of the petitioner in respect of Plot Nos.312 and 313 (pond) of mouza Dikra, District-Paschim Medinipur were declared by a civil court. The respondent Nos.8 to 14 were preventing the petitioner from cleaning up the said pond. Accordingly, the petitioner approached the Pradhan, Changual No.1 Gram Panchayat, District-Paschim Medinipur. The pond is a private pond. It appears that the police authorities have already agreed to provide assistance to the petitioner in this regard and have also fixed a date.

Thus, nothing survives for decision in the writ petition as the panchayat authorities cannot be directed to enter into the said pond and assist in cleaning up the said pond, as it

appears that the dispute between the petitioner and the respondent Nos.8 to 14 still going on with regard to the enjoyment of the said pond. The petitioner is at liberty to act and proceed in accordance with law.

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.)