

5 24.01.2023

gd/ssd

WPA(P)/18/2023
RAJU MONDAL
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Robiul Islam
..for the Petitioner.

Mr. Jahar Lal De,
Mr. Supratim Dhar
..for the State.

Affidavit of service filed by the petitioner is taken on record.

The grievance raised in this public interest petition is that the land situated at Plot No.7310, LR Plot No.11422 of different Khatians, measuring about 0.011 under Mouza Kismat Bajkul, P.S. Bhupatinagar, District Purba Medinipore has been classified as a water body which is being illegally filled up by certain persons.

Learned counsel for the State submits that the respondent no.4 i.e. District Land and Land Reforms Officer, Purba Medinipore is the competent authority to examine the entire issue.

In the petition the persons responsible for illegally filling up of the water body have not been impleaded nor any representation has been addressed to the respondent no.4.

In the aforesaid circumstances, we dispose of the

present petition permitting the petitioner to file an appropriate comprehensive representation with all the relevant materials before the respondent no.4, who, on receipt of the same, will give an opportunity of hearing to all the concerned parties and will take appropriate action in accordance with law. If it is found that any person has illegally filled up the water body, then the respondent no.4 will take adequate steps to ensure that the water body is restored to its original position.

Let this exercise be completed within a period of three months from the date of receipt of the representation.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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