

February 13, 2023
Sl. No.18
Court No.1
s.biswas

WPA (P) 46 of 2023

Santi Pada Hazra and others

vs.

The State of West Bengal and others

Mr. Dilip Kumar Sinha,
Mr. Sukdeb Sarkar, Advocates

... for the petitioners

Mr. Jahar Lal De,
Mr. Shamim Ul Bari, Advocates

... for the State

Mr. Abdus Salam, Advocates

... for the respondent No.8

The allegation of the petitioner is that the private respondents by raising illegal construction have obstructed the flow of the canal, as a result of which the poor cultivators are deprived of the benefit of cultivation of land and the local persons are also suffering. It is alleged that the private respondents by raising illegal construction have also blocked the excess water outlet of 'Purba Math' adversely affecting the interest of the cultivators.

Learned counsel for the petitioners has submitted that the representation dated 23.07.2019 (Annexure P3) has already been made to the respondent No.2 (The District Magistrate, Purba Midnapur), but no action has been taken till now.

Learned counsel for the State has assured that the representation of the petitioners will be duly considered.

Hence, we dispose of the present petition directing the respondent No.2 to duly consider the

petitioners' representation and take appropriate decision after giving an opportunity of hearing to all the concerned parties.

Let this exercise be completed within a period of 3 months from the date receipt of the copy of this order.

Petitioners are directed to submit a fresh copy of the representation along with the copy of this order to the respondent No.2.

The present petition is disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)