

20.3.2023
Ct.19/sl.28
sn

W.P.A. 5876 of 2023
Saktipada Sadhukhan
Vs.
The State of West Bengal & Ors.

Mr. Amitava Paine
Mr. Vivek Kumar Tripathi
..for the petitioner
Mr. Manas Kundu
Mr. Debabrata Mondal
..for the State

On the averments made in the writ petition, this Court does not find that there are any allegations against the panchayat authorities. Hence, the writ petition cannot be entertained in its present form. As the allegation of the petitioner is that some private parties have encroached into the land of the petitioner which is classified as Nala (canal) and are filling up the same, the dispute cannot be adjudicated by this Court.

The petitioner is granted liberty to file an objection before the Block Land & Land Reforms Officer with the allegation of filling-up of a water body (classified as Nala) without any conversion.

The other allegation of the petitioner that the said 'Nala' had been recorded in the name of the petitioner and the miscreants had encroached the same, has to be adjudicated by a civil court.

However, the allegation of non-conversion of the land prior to any construction can be decided by

the appropriate authority. Any other reliefs available to the petitioner under any law for alleged filling up of a water body, are always available. The petitioner may approach all the competent authorities under the relevant laws for redressal of his grievances. If such approach is made, the authorities shall act and proceed in accordance with law.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)