

October 03, 2023
ARDR (376)

WPA 8068 of 2023

Smt. Minoti Dutt
Vs.
The State of West Bengal & Ors.

Adv. Shuvasish Sengupta,
Adv. Sarosij Dasgupta,
Adv. Subhra Das,

...for the petitioner.

Adv. Santanu Kumar Mitra,
Adv. Rama Haldar,,

...for the State.

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

It is submitted on behalf of the petitioner that the pond adjoining her house in respect of which she has undivided interest is being filled up illegally. The petitioner submitted a representation before the concerned authority through her learned counsel on 6th February, 2023 in this regard pursuant to which the matter was forwarded to the District Magistrate, Hooghly for necessary action, by a letter issued by the Senior Law Officer and E.O. Assistant Secretary (Law), Government of West Bengal on 17th February, 2023.

Learned counsel for the petitioner submits that no further step has been taken by the District Magistrate till date.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the complaint made by the petitioner has been

forwarded to the District Magistrate, Hooghly for necessary action, the concerned authority be directed to take necessary steps within a stipulated time frame.

The writ petition is accordingly disposed of directing the District Magistrate, Hooghly, being the 4th respondent, to take necessary steps in terms of the complaint filed by the petitioner forwarded to him by the letter dated 17th February, 2023 within two weeks from the date of communication of this order upon hearing all concerned including the petitioner, in accordance with law.

The officer-in-Charge, Chinsurah Police Station, being the 7th respondent herein, is directed to keep strict vigil on the water body in question and ensure that the said water body is not filled up any further.

With the aforesaid observations and directions, the writ petition, being WPA 8068 of 2023 is disposed of.

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

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)