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08.02.2023
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W.P.A. 9063 of 2022
(Sri Santosh Mondal & Ors. vs. State of West Bengal & Ors.)

Mr. Dhruba Mukherjee
Mr. Asraf Mondal
Mr. Ajit Kr. Barman
.... For the Petitioners

Mr. Subhabrata Dutta
Mr. Banibrata Dutta
.... For the State

It appears from the letter issued by the Deputy Secretary to the Government of West Bengal to the District Land and Land Reforms Officer, Nadia on 30th May, 2022, submitted by the State respondents this day, that pursuant to an approval by the Fisheries Department for derequisition of the water body in question vide order passed on 23rd June, 2008, the District Land and Land Reforms Officer has been held to be the competent authority to revert/hand over the said property to the petitioners/legal owners.

In view of the above, this Court is inclined to hold that no fruitful purpose will be served by keeping the writ petition pending. The writ petition is accordingly disposed of directing the District Land and Land Reforms Officer, being the 6th respondent herein to deliver possession of the water body in question in favour of the writ petitioners who claim to be the present owners/subsequent purchasers of the same within four weeks from the date of communication of

this order upon verifying the claim of the petitioners and upon affording reasonable opportunity of hearing to the petitioners, in accordance with law.

The petitioners shall be at liberty to produce all relevant documents in support of their claim before the concerned authority at the time of hearing.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)