

03 19.09.2023
Ct. No. 01

WPA(P) 225 of 2022

AN

Inhabitants of Basantanagar and Sukanta Pally area in
Bhimpur Police Station within the exclusive domain of
Krishnanagar area, represented by one of the villagers,
namely, Ashim Basunia

Vs.

State of West Bengal & ors.

Mr. Lalit Mohan Mahata, Id. AGP

Mr. Rudranil De

... for the State

Mr. Shahan Shah

Mr. Soumen Barman

... for respondent nos. 11-15

1. None appears for the petitioner on call.

2. The writ petition has been filed praying for a
direction upon the respondent authorities not to fill up the
water body comprised in plot of land no. 5500, 5500/6231,
5500/6232 pertaining to Khatian no. 10138, 10140, 10141,
10142, 10144 in Mouza Sonda, J.L.No. 97 within the
jurisdiction of Krishnanagar Police Station now Bhimpur
within the exclusive domain of the Krishnagar (North)
Assembly Constituency in Poragacha Gram Panchayat.

3. Learned counsel representing the State has
filed a report submitted by the Officer-in-Charge, Bhimpur
Police Station, Krishnanagar, Nadia. On a perusal of the
said report, we find that a criminal case has been registered
against the said Ashim Basunia in Case no. 126/22 dated
06.04.2022 under Sections 447/384/385/34 Indian Penal
Code for the issue of extortion of money from the owners of
the land in question and the said Ashim Basunia who is
accused in the said criminal case has filed this writ petition

alleging that he is representing the inhabitants of a particular area. In any event, the report also states that the land in question is an agricultural land.

4. Thus, we find that the present application not to be treated as a genuine Public Interest Litigation. Therefore, no relief can be granted in this writ petition and the same stands **dismissed**.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)