

05.06.2023

Item No.7

Ct. No.1

PG/KS

W.P.A.(P) 218 of 2023

Bapan Ghosh.

Vs.

The State of West Bengal & Ors.

Mr. Kingshuk Mondal.....for the petitioner

Mr. Jahar Lal De

Mr. Rudranil De.....for the State

1. By this writ petition, styled as a public interest litigation, the petitioner alleges that the 16th respondent has encroached into a water body.
2. We find that the representation was received by the authorities only on 20th March, 2023 and without even waiting for a reasonable time for the authorities to respond or take action, the writ petition has been filed.
3. We find that the respondents have not been served. However, considering the allegations, which have been made, we dispose of this writ petition without calling for affidavits.
4. Without going into the merits of the writ petition, we only direct the concerned respondent i.e. the 6th respondent viz. the District Land & Land

Reforms Officer, Murshidabad at Berhampore to take note of the representation and issue notices to all concerned including the 16th respondent and direct an inspection to be conducted of the premises in question in the presence of all concerned and proceed to take action in accordance with law.

5. We make it clear that we have not gone into the merits of the allegation made in the representation.
6. We expect that the above directions be complied with as expeditiously as possible, preferably within a period of 12 weeks and action be taken, if the authority finds any violation.
7. No order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities..

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)