

22.06.2023.
Court No.13
Item No. 8
ap

W.P.A. No. 12809 of 2023
Sumit Sahu & Ors.
Versus
The State of West Bengal & Ors.

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta.

...For the petitioners.

Mr. Samit Kumar Mondal,
Ms. Reshma Chatterjee.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. Khatra Police Station, Bankura is represented. It is submitted that the petitioners have purchased a property, which may be a tribal land. The petitioners were required to take prior permission from the District Magistrate, Bankura in this regard.
3. Counsel for the petitioners submits that the property is not a tribal land and has produced deeds. He further submits that there are four to five other Hotels also operating in the area which is called Mukutmanipur, Bankura.
4. The police, Gram Panchayat and Block Development Officer, Khatra have received mass petitions from the locals opposing the setting up of a Hotel thereat, since the community feels that their daily life and practices would be disturbed by outsiders.

5. This Court is of the view that the District Magistrate, Bankura, shall look into the matter and cause due enquiries as regards the permissions obtained by the petitioners for purchase of the said land and for setting up of a Hotel thereat.

6. It shall also be enquired as to whether the permission to set up a Hotel or Commercial Establishment can at all be given in that area and the local persons may also be heard by the District Magistrate, Bankura and/or his designate.

7. Let a suitable decision be taken by the District Magistrate, Bankura within a period of three months from date.

8. In the meantime, the petitioners shall not effect any construction at the premises.

9. The report of the Khatra Police Station dated 14th June, 2023 in the form of instructions addressed to the Government Pleader, High Court, Calcutta be taken on record.

10. With the aforesaid directions, the instant writ petition shall stand disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

