

WPA(P) 246 of 2021

Bapan Koley & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Asok Banerjee
Mr. Subodh Banerjee
Mr. Prosenjit Mukherjee
Mr. Argha Kamal Das

... ... for the petitioners

Mr. Jaharlal De
Mr. Supratim Dhar

... ... for the State

Mr. Kishore Mukherjee

... ... for the respondent nos.17 to 20

The petitioners in this public interest petition had raised the grievance that the water body being a pond situated in District – Hooghly, P.S. – Singur, Mouza- Nasibpur, J.L. No. 90, Hal L.R. Khatian 2578, 2579 and 2582, Hal L.R. Plot 4678, Measuring 40 Satak was classified for the purpose of common use and the same was filled up by the private respondents without any permission and sanction from the State Government.

The official respondents have filed their affidavit-in-opposition disclosing that an application for conversion of water body seeking permission for change of character from pond to petrol pump was submitted on which due process was followed and after creation of compensatory water body the old water body was allowed to be converted. The details of conversion have been disclosed in the affidavit-in-opposition.

Learned counsel for the petitioners does not dispute the above aspect of the matter.

Hence, considering the stand taken in the affidavit-in-opposition by the official respondents, we find no ground to interfere with this public interest petition which is accordingly dismissed.

We make it clear that the dismissal of this public interest petition will not come in the way of any aggrieved party if he/she wishes to avail the statutory remedy against the conversion.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)