

26.06.2023
Item No.24
RP/AN
Ct. No.1

W.P.A.(P) 303 OF 2023

**MOHAMMAD SHAMIM
VS
STATE OF WEST BENGAL & ORS.**

Mr. Wasim Reza
.....for petitioner

Mr. Amitesh Banerjee, Sr. Adv.
Mrs. Ipsita Banerjee
.... For State

Mr. Surajit Basu
Mr. Samudra Nil Sarkar
.... For respondent nos.9 and 10

The petitioner alleges that the respondent nos.11 and 12 are putting illegal construction on a land a piece and parcel of danga land. The petitioner also states that it is a wet land/pond and is being illegally filled up. The ninth and tenth respondents have already filed a suit, being TS No.1964 of 2022, before the Civil Judge (Junior Division), 5th Court, Howrah wherein an order of injunction has been granted on 14.12.2022 till 16.01.2023. There is also an order restraining the defendants from changing the nature and character of the property in question.

Learned advocate appearing for the respondent/State submits that the Officer-in-Charge,

Sankrail Police Station has also inspected the property and found unauthorized construction and the private respondents have stopped the unauthorized construction and they have kept vigil over the area. Further, it is submitted by the learned government counsel that the sixth respondent, namely, the Pradhan will take appropriate action.

In the light of the above, this writ petition stands **disposed of** by directing the Pradhan/Sixth respondent to take action in accordance with law in respect of the illegal construction put up by the 11th and 12th respondents on the land in question after notice to the petitioner as well as the 9th, 10th, 11th and 12th respondents. This direction be complied with within a period of six weeks from the date of receipt of a server copy of this order.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)