

ML 142
25.04.2023
Court. No. 19
GB

WPA 15989 of 2022

Sri Debasish Panda
Vs
The State of West Bengal & Ors.

*Mr. Koustav Chandra Das,
Mr. Narattam Acharyya*

...for the Petitioner.

*Mr. Jahar Lal De,
Ms. Smita Das Dey*

...for the State.

*Mr. Kamal Mishra,
Mr. Pratap Sanfui,
Mr. Subhadeep Maitra*

...for the Respondent Nos.7 to 9.

Affidavit-of-service filed in Court today, be kept with
the record.

The Court does not find that the panchayat authorities
have committed any illegality in the matter. The allegation of
the petitioner is against the respondent no.7 to 9. The
petitioner alleges that the said respondents have tried to
excavate a large portion of an agricultural land in order to
create a pond for the purpose of pisciculture. According to the
petitioner, such excavation would destroy all the agricultural
lands around the said pond and the crops would suffer.

Mr. Mishra, learned advocate for the respondent nos.7
to 9 denies the allegations and submits that his clients did not
change the nature and character of the agricultural land.

The remedy of the petitioner is under the provisions of
the West Bengal Land Reforms Act, 1955, against the alleged
illegal excavation of 'Sali' land for the purpose of creation of a
water body. The petitioner has already approached the

District Land and Land Reforms Officer, Purba Medinipur as also the Block Land and Land Reforms Officer, Egra-I Development Block.

The writ petition is disposed of leaving it open to the petitioner to pursue his remedy before the aforementioned authorities in accordance with law, on an urgent basis. The authorities shall act and proceed on the basis of the representation of the petitioner. An opportunity of hearing shall be given to the petitioner as also to all the respondents, before any decision is taken.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)