

D/L. 24.
August 1, 2023.
MNS.

WPA No. 17347 of 2023

Dilip Pal
Vs.
The State of West Bengal and others

Mr. Sounak Bhattacharya,
Mr. Sounak Mondal

... for the petitioner.

Mr. Ansar Mondal,
Mr. Arindam Mitra

...for the State.

Affidavit-of-service filed in Court today be
kept on record.

Learned counsel for the petitioner argues
that the petitioner has specifically alleged that the
private respondents are trying to convert a pond
without formal permission of the appropriate
authorities, including the Fisheries Department as
well as the Block Land & Land Reforms Officer
(BL&LRO).

It is further submitted that, in the LR
records, the property is recorded as 'pukur' and
'doba'.

Being aggrieved by such inaction on the
part of the authorities, the present challenge has
been preferred.

Learned counsel for the State files a report (which is kept on record) and contends that the dispute-in-question is primarily a civil dispute between the parties.

However, the grievances raised by the petitioner are required to be decided by the appropriate authorities, since they are not restricted to a civil dispute of a private nature between the parties, but also pertain to violation of several statutes, including the West Bengal Land Reforms Act, 1955 as well as the West Bengal Inland Fisheries Act, 1984.

Hence, the complaints lodged by the petitioner are required to be looked into and enquired into and, if necessary, appropriate steps are to be taken thereafter.

Accordingly, WPA No. 17347 of 2023 is disposed of by directing the respondent nos. 3 and 7 to consider the representations annexed to the writ petition and address them as expeditiously as possible, upon holding an appropriate enquiry in that regard, if necessary, upon giving opportunity to the petitioner and the private respondents to ventilate their versions before the said authorities.

Such exercise shall be completed as expeditiously as possible, positively within six weeks from this date, upon such enquiry being concluded.

If the said authorities are of the opinion that there is a contravention of any provision of law by unlawful conversion of a water body, immediate steps shall be taken by the said authorities in that regard in accordance with law.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)