

May 2, 2023
Sl. No.A 81
Court No.19
s.biswas

WPA 17959 of 2022

Dr. Pijushkanti Pal and another
vs.
The State of West Bengal and others

Mr. Soumya Dasgupta

... for the petitioners

Ms. Anamika Chakraborty

... for the State

Affidavit of service filed by the petitioner is taken on record.

Despite service, none appears on behalf of the respondent no.10.

As the Court is not inclined to pass any mandatory direction as prayed for, but deems it fit to relegate the matter to the permission granting authority for determination of the allegation against the private respondent, the writ petition is taken up in the absence of the respondent 10.

The writ petition is disposed of granting liberty to the petitioner, to approach the panchayat authorities for necessary action in terms of Rule 22, Sub-Rule 2 of the West Bengal Panchayat (Gram Panchayat Administration) Rule, 1984.

If such application is filed, the same shall be disposed of in accordance with law upon giving an opportunity of hearing to all the concerned parties, including the respondent no.10.

The Court has not expressed any opinion on the merits of the allegation made by the petitioner. It

appears from the records that the Block Land and Land Reforms Officer, Canning-I had taken steps with regard to illegal filling up of the waterbody. Further steps shall be taken by the competent authority as per the provisions mentioned hereinabove, within a period of three months from the date of receipt of the petitioner's representation.

Accordingly, the writ petition is disposed of without any orders.

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

(Shampa Sarkar, J.)