

14.08.2023
Item No.31
gd/ssd

WPA(P)/403/2023
SUBHAS CHANDRA BAG AND ANR.
VS
THE STATE OF WEST BENGAL AND ORS.

Md. T.M. Siddiqui,
Mr. S. Dhar
..for the State.

Mr. Pabitra Bhaumik
..for the Respondent Nos.10 to 13.

1. None appears for the petitioners.
2. The petitioners filed this writ petition praying for issuance of a writ of mandamus to restore a canal which is alleged to have been occupied by the private respondents, namely, 12th and 13th respondents.
3. Since the writ petition is being disposed of without calling for affidavits from the respondents, the merits of the allegations made by the petitioners are not gone into and there will be a direction to the 4th respondent i.e. Block Development Officer, Moyna Block, East Medinipur to consider the representation dated 02.05.2023 and issue notice to the private respondents as well as the writ petitioners and after hearing the parties pass a speaking order on merits and in accordance with law and communicate the said to the writ petitioners.

4. The above direction be complied with within a period of six months from the date of receipt of the server copy of this order.

5. With the above observations, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)