

08.08.2023
Item No.18
gd/ssd

WPA(P) 325 OF 2021
PANKAJ KUMAR MAJUMDER AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Soumen Chatterjee
..for the Petitioners.

Mr. Achintya Kr. Banerjee,
Mr. Soumen Chatterjee
..for the Respondent No.16.

Mr. Arindam Das
..for the Municipality.

Mr. N.C. Bihani,
Ms. P.B. Bihani
..for the WBPCB.

1. By this public interest writ petition the petitioners sought for a direction upon the respondent authorities for restoration of the water body.

2. The municipal authority has taken action under the relevant enactment and the water body has been restored.

3. The learned advocate appearing for the private respondent submitted that with due permission from the authorities the water body has been filled up and the question of restoration will not arise.

4. It is pointed out by the learned advocate for the municipality that the private respondent has

challenged the order passed under Section 17A by filing a separate writ petition.

5. Hence, while disposing of this writ petition we grant liberty to the private respondent to work out his remedy in the writ petition already filed by him.

6. With the above observation, the writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)