

ML 193
25.01.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 19509 of 2021

**Raja Altab Khan & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. S.K. Humayan Reza.
...For the petitioners.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder.
...For HMC.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the private respondents and the State respondents in spite of service.

The petitioners allege that the private respondents are illegally and forcefully filling up the water body with intention to raise construction thereon.

The petitioners through their learned advocate claim to have filed an objection before the A.D.M. (L.R.), Howrah and the Block Land and Land Reforms Officer, Bally Jagachha Block in November 2021 and allege that the same has not been taken up for consideration till date.

Though the learned advocate for the petitioners submits that the said representation was duly served in the office of the aforesaid authorities, but from the documents annexed to the writ petition the proof of service is not readily available.

Accordingly, the present writ petition is disposed of by granting leave to the petitioners to file appropriate representation before the aforesaid respondents giving details of the alleged illegal activities of the private respondents.

In the event such a representation is made, the same shall be taken into consideration by the A.D.M. (L.R.), Howrah in accordance with law, after giving reasonable opportunity of hearing to all the necessary parties. A reasoned order shall be passed at the earliest and communicated to the parties.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)