

14.08.2023
Item No.33
gd/ssd

WPA(P)/414/2023
DEBASIS LAHA
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Malay Bhattacharyya
..for the Petitioner.

1. By this public interest litigation the petitioner alleges that the 7th respondent is putting up construction in a land which is “Pukur Par”. It is alleged that the State fund should not have been allotted for putting up of the construction in a water body and in this regard a complaint was lodged to the Bankura Municipality pursuant to which by memo dated 13.01.2023 the 7th respondent was directed to stop construction. It is alleged that in spite of such a stop work order, the 7th respondent is proceeding with the illegal construction and representations have been made to the official respondents and in particular to the 5th respondent on 02.07.2023 and 03.07.2023 and since no action was taken, the petitioner has filed this writ petition.

2. Since the writ petition is being disposed of without calling for affidavits from the respondents, the court is not inclined to go into the allegations made by the writ petitioner at this stage of the matter and would

direct the 5th respondent to immediately take up for consideration by issuing notice to the writ petitioner as well as the 7th respondent, conduct a spot inspection of the area and proceed to take action in accordance with law.

3. The above direction be complied with within a period of three weeks from the date of receipt of the server copy of this order.

4. During the inspection the official respondents of the Bankura Municipality shall also be present.

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

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)