

31 24.04.2023
AN Ct. No. 01
RP

WPA (P) 407 of 2022

Dablu Ghosh & ors.
Vs.
The State of West Bengal & Ors.

Md. Bani Israil
Mr. Kanchan Gupta

... For the Petitioners

Mr. Dipankar Das

... For respondent no. 14

Mr. Lalit Mohan Mahata
Mr. Prasanna Behari Mahata

... For the State

1. We have heard the learned advocates for the parties.

2. By way of this Public Interest Litigation, the petitioners seek for a direction upon the authorities to take action against the alleged filling up of pond for the purpose of putting up illegal construction. In this regard, a representation was given to the authorities sent by way of speed post on 25.06.2022. Since no action was taken, the writ petition was filed.

3. The Additional District Magistrate and District Land & Land Reforms Officer, Murshidabad, the 9th respondent has given written instructions to the learned counsel for the State by letter dated 29.08.2022 alongwith annexures. It is pertinent to note that the annexure dated 04.07.2022 stated that conversion certificate issued earlier has been revoked by the Sub-divisional Land and Land Reforms Officer, Jangipur on the ground of misrepresentation of the actual status of the suit plot of land

and the private parties were directed to maintain status quo of the land as before as an water body. As long as this order remains unchallenged by the private respondents, the land has to be maintained as a water body.

4. Hence, the instant writ petition stands **allowed** and there will be a direction upon the private respondents to maintain status quo of the land as before as a water body and the official respondent nos. 2 and 3 are directed to ensure that no conversion shall take place and/or shall not give any indulgence in any illegal conversion and strict action shall be taken in accordance with law, if necessary.

(T. S. Sivagnanam)
Acting Chief Justice

(Hiranmay Bhattacharyya, J.)