

11
17.01.2023
d.p.

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

W.P.A 19157 of 2022

**Sk. Rafikul
-versus
The State of West Bengal & Ors.**

**Mr. Kushal Chatterjee,
Mr. Debrup Choudhury.
...For the Petitioner.**

**Mr. Sandip Ghose,
Mr. Sudarsan Roy,
Mr. Goutam Chowdhury.
...For the Municipality.**

**Mr. Manoj Malhotra,
Mr. Suman Dey.
...For the State.**

**Mr. Soumyajit Bhatta,
Mr. Partha Sarkar.
...For the Added Respondent.**

Copy of the communication dated 30th April, 2022 made to the petitioner by the Executive Officer and Competent Authority under the West Bengal Inland Fisheries Act, 1984, North Dum Dum Municipality has been placed in Court.

It appears therefrom that the allegation of the petitioner that construction was made by illegally filling up portions of water bodies does not appear to be correct as the land in question was already converted under Section 4C of the West Bengal Land Reforms Act,

1955 by the competent authority, Government of West Bengal.

In view of the above, the allegation of the petitioner remains unsubstantiated.

No relief can be granted to the petitioner in the instant writ petition.

The writ petition, accordingly, fails and is hereby dismissed.

Copy of the communication dated 30th April, 2022 has been handed over to the Learned advocate appearing for the petitioner in Court today.

It will be open for the petitioner to take appropriate steps to challenge the same in the event the petitioner is aggrieved.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)