

38
AN 24.04.2023
RP Ct. No. 01

WPA (P) 500 of 2022

Kausik Mondal
Vs.
State of West Bengal & Ors.

Mr. Tarak Nath Halder

... For Petitioner

Mr. Lalit Mohan Mahata

Mr. Prasanta Behari Mahata

... For the State

1. The petitioner seeks for a direction upon the respondents to immediately stop illegal and unauthorized construction in the play ground of the primary school. It is alleged that steps have been taken to construct a temple in the school play ground premises.

2. Learned advocate appearing for the State would submit that action has already been taken and the District Inspector of Schools, Primary Education, North 24 Parganas will look into the matter. Therefore, there will be a direction upon the second respondent and the fourth respondent to conduct an inspection of the school premises within a period of two weeks from date and if any unauthorized and illegal construction is made thereat, the person who put up the said unauthorized construction is directed to demolish the same and restore it to its original position and if they deny to do so, action be initiated by the government and cost of such demolition will be recovered from the persons who put up such unauthorized and illegal construction.

3. The above direction is issued on the basis that the land in question has been allotted as play ground. If it is otherwise then it is open to the authority to pass a speaking order on merits and in accordance with law.

(T. S. Sivagnanam)
Acting Chief Justice

(Hiranmay Bhattacharyya, J.)