

03.05.2023.
Court No.13
Item No. 348
ap

W.P.A. No. 22709 of 2022
Sri Ramlal Tewari & Ors.
Versus
The State of West Bengal & Ors.

Mr. Sayan Sinha.	...For the petitioners.
Mr. T.M. Siddiqui, Mr. Santanu Chakraborty.	
	...For the State.
Mr. Haradhan Banerjee, Mr. Amitava Pain.	
	...For the private respondents.

1. The petitioners complain of alleged inaction on the part of the Shibpur Police Station in not filling up of a water body. The petitioners claim that they have obtained conversion of the water body into that of a normal land.
2. Counsel for the private respondents submits that the conversion is illegal and the process is under challenge.
3. The Inspector-in-charge, Shibpur Police Station has filed a report dated 2nd May, 2023 in the form of instructions addressed to the Government Pleader, High Court, Calcutta, which is taken on record.
4. It appears therefrom that Shibpur Police Station has registered on the complaint of the private respondents and other parties. It further appears that investigation has been completed and charge-sheet Nos.554 of 2017 dated 30th September, 2017 and 414 of 2017 dated 31st July, 2017 have been filed.

5. This Court is of the view that it is not for the police to suo motu convert or fill up any water body or pond. The prayers made in the writ petition cannot be entertained.

6. This Court, therefore, finds no inaction on the part of the Shibpur Police Station. The Police shall however ensure that there is no breach of peace in the area.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)