

09.10.2023
Item No.4
gd/ssd

WPA(P)/530/2023
BELA DINDA & ORS.
VS
STATE OF WEST BENGAL & ORS.

Mr. Satyendra Agarwal,
Mr. Tarak Nath Sarkar
..for the Petitioners.

Mr. Samrat Sen, learned AAAG,
Mr. Saikat Chatterjee,
Ms. Manali Ali
..for the State.

1. By way of public interest litigation the petitioners allege that the private respondents, namely, respondent nos.17 to 32 have put up illegal construction by digging the bank of the river and damaging the embankment.

2. As rightly pointed out by the learned AAAG appearing for the State respondent, the averments in the writ petition appear to have a personal grievance sought to be projected as a public interest litigation.

3. In several places in the writ petition the petitioners would state that there is encroachment in the land belonging to the petitioners, if that be so the petitioners have to approach the appropriate forum for necessary relief.

4. However, since the embankment has been put up by the appropriate authority of the government,

it is necessary to ensure that the embankment is in no way damaged or encroached by any third party.

5. To that extent, we are inclined to direct the 13th respondent, namely, the Sub-Divisional Officer, Irrigation and Waterways Department, Ghatal, Paschim Medinipur to conduct an inspection of the area and to ensure that the embankment is not being damaged in any manner by any of the third parties.

6. With the above observation, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)