

09.10.2023
Item No.5
gd/ssd

WPA(P)/532/2023
SANJAY PALANGDAR
VS
STATE OF WEST BENGAL & ORS.

1. None appears on behalf of either of the parties.

2. By way of public interest litigation the petitioner would contend that a banyan tree which exists over 100 years is being illegally cut down in violation of the provisions of the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006.

3. In this regard, the petitioner has submitted a representation to the Department of Forest and also a representation through his advocate on 25.03.2022 followed by another representation/complaint to all the authorities of the Forest Department including the Commissioner of Police, Howrah Police Commissionerate and Officer-in-Charge, AJC Bose Botanical Garden, Howrah on 08.09.2023 requesting the authorities to intervene in the matter and to save the banyan tree.

4. These representations are still pending before the authorities and since the same has not been considered, the petitioner has approached this court.

5. Since the matter has already been brought to the notice of the officials of the Department of Forests, we direct the 3rd respondent to examine the representation and direct one of his officers to conduct an inspection of the area and if there is any violation of the provisions of the said Act, appropriate action be taken in accordance with law.

6. In order to comply with this direction, we direct the petitioner to appear before the office of the Divisional Forest Officer, Howrah Division and submit copies of the representations along with the copy of this order.

7. On receipt of the same, the said authority shall carry out the directions issued above within six weeks from the date of receipt of the copies of the representations.

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

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)