

December 21, 2023
ARDR (534)

WPA 24257 of 2023

Satinath Chatterjee & ors.
Vs.
The State of West Bengal & ors.

Adv. Subhas Chandra Atha,
Adv. Payel Paramanik,
...for the petitioners.
Adv. Chandi Charan De,
Adv. Reshma Chatterjee,
...for the State.

Affidavit of service filed by the petitioners is taken on record.

None appears for the 10th and 11th respondents, despite service.

It is submitted on behalf of the petitioners that a project under the name and style of “Swajaldhara Programme” for providing drinking water to villages having scarcity of water is implemented by the State Government through local bodies like Panchayat etc. The petitioners have learnt that such programme/scheme shall be set up in the land of the petitioners though the said land has not been acquired by taking recourse to law. The petitioners submitted a representation in this regard before the concerned authority on 5th September, 2023 requesting the authority to refrain from setting up such scheme in the petitioners’ land. The representation is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 5th September, 2023 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

With the aforesaid directions the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)