

19.12.2023
Item No.18
RP/AN
Ct. No.1

WPA(P) 604 OF 2023

**Kartick Roy & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Samiran Mandal
Mr. S.C. Dhara
Mr. Mrinal Kanti Sardar
.....for the Petitioners

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

1. By way of filing this public interest litigation the petitioners seek for consideration of their representation with regard to restoration of a water body. In reply to the petition of the petitioners for restoration of the water body the Assistant Director of Fisheries has made it clear that the concerned District Magistrate is the appropriate authority to taking up necessary action.
2. Learned Assistant Additional Advocate General on instruction submits that the area, which is alleged to be a water body, has to be ascertained from the revenue record and thereafter action will be taken.
3. In the light of the above factual position, there will be a direction upon the District Magistrate, Bankura to look into the matter and initiate appropriate action and if it is found that the subject water body

has been encroached or filled up illegally, necessary action to be taken to restore the said water body. Such course of action will be taken after notice to all concerned. If the miscreants are identified, the cost of such restoration shall be recovered from those miscreants.

4. With the above direction, this writ petition is disposed of.

5.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)