

**HIGH COURT OF TRIPURA
AGARTALA**

Review Petition No.23 of 2023

The State of Tripura & others

.....Petitioner(s);

Versus

Court on its own motion

For Petitioner(s) : Mr. S.S. Dey, Advocate General,
Mr. Kohinoor N. Bhattacharyya, G.A.,
Ms. Ayantika Chakraborty, Advocate.

For Court on its own motion : Mr. I. Chakraborty, Amicus Curiae.

**HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH
HON'BLE MR. JUSTICE ARINDAM LODH**

Order

03/04/2024

Review Petition No.23 of 2023

The instant petition was preferred by the State of Tripura for review of the order dated 27.09.2022 passed by this Court so far it directed maintenance of 11 meters of RL of water in Rudrasagar lake which was the subject matter of WP(C)(PIL) No.05/2017. This public interest litigation was also disposed of on the same date i.e. 27.09.2022. It however appears that several orders have been passed after disposal of the PIL as regards the compliance of the order passed by the Court in maintaining the water body. In one of the orders dated 30.03.2023, a request was also made by learned Advocate General to direct the State Government to deploy sufficient police force in and around the said project i.e. in and around the main water body Rudrasagar to curtail the activities of the miscreants. It therefore appears that the PIL though disposed of by the order dated 27.09.2022 with certain directions but the issues regarding the maintenance of the water level in the Rudrasagar lake and its rejuvenation are being monitored by this Court.

Let it be indicated here that WP(C)(PIL) No.05/2017 was initially instituted in view of the order dated 03.04.2017 passed in WP(C) No.230/2001 [M.K. Balakrishnan & Others v. Union of India & Others].

Public interest litigations of such nature dealing with ecology and preservation of natural resources requires constant monitoring by the Court.

In such circumstances, we are of the view that the main public interest litigation [WP(C)(PIL) No.05/2017] should be formally revived for regular monitoring of the steps being taken for preservation of the Rudrasagar lake and the Ramsar site. As such, we are of the view that the instant review petition deserves to be disposed of. Such issues relating to the maintenance of RL level of the Rudrasagar lake can be looked into in the main PIL.

In that view of the matter, the instant review petition is disposed of. Let the copy of this order be placed on record of WP(C)(PIL) No.05/2017.

(ARINDAM LODH), J

(APARESH KUMAR SINGH), CJ

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