

20.06.2024
Item No.5
gd/ssd

WPA/11310/2018
BRINDABAN OJHA & ORS.
VS
STATE OF WEST BENGAL & ORS.

Mr. Manoranjan Jana,
Ms. Mitali Jana
..for the Appellants.

Mr. Tanmoy Mukherjee,
Mr. Kallol Kumar Maity,
Mr. Sukhendu Bikash Mukherjee
..for the Respondent nos.9 to 19.

1. This writ application has been filed by way of public interest litigation for direction upon the respondents to clear the encroachments alleged to have been made water canal.

2. The petitioner would contend that pattas have been granted to several private parties in respect of the canal which is illegal.

3. However, it appears that as on date the pattas have not been cancelled.

4. It is submitted by the learned advocate appearing for the private respondents that a challenge was made to the grant of patta before the Sub-Divisional Officer which was rejected and aggrieved by such order, an application was filed before the tribunal and the said application has also been dismissed by an order dated 05.01.2023.

5. In the light of the same, no orders can be passed in the present writ petition.

6. However, the applicant before the tribunal is at liberty to proceed further in accordance with law.

7. Accordingly, this writ application stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)