

29.04.2024

Ct. no.654

Sl. No.6

SS

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)**

WPA 13065 of 2023

**Bajitpur Colony Fisherman Co-operative
Society Ltd. & anr.**

Vs.

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya

Ms. Anita Shaw

..for the petitioner

Mr. Soumitra Bandopadhyay

Ms. Reshmi Rehman

..for the State

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

On the prayer of the learned Advocate for the
petitioners leave is granted to file supplementary affidavit.

Supplementary affidavit filed on behalf of the
petitioners is taken on record. Copy served.

The brief fact of the case is that the petitioners were
granted lease for a period of seven years in respect of
water bodies covering an area of 20 acres for pisciculture
at Rangamatia Jalkar of Ratua Block-I in the district of
Malda on the highest bid amount of Rs.16,21,000/-
offered by them in terms of Notification dated 6th
September, 2021 of the District Land and Land Reforms
Officer, Malda. On 26th April, 2022 the petitioners
deposited 25% of the bid amount, that is, Rs.4,05,250/-.
Thereafter, since the balance amount of the bid was not
accepted the petitioners made several representations for

issuance of possession certificate. However, the same has not been considered. Hence, this writ petition.

By way of supplementary affidavit the petitioners have pleaded that for maintaining peace and tranquility in an around the waterbodies, police assistance is necessary and to that effect the petitioners have made representation before the respondent no.3, the Additional District Magistrate (LR) & District Land and Land Reforms Officer, Malda on 2nd April, 2024.

Mr. Anjan Bhattacharya, learned Advocate for the petitioners submits that the petitioners are ready and willing to deposit the balance bid amount. He further submits that police assistance is necessary since the strangers to the leased out waterbody are catching fish therein and creating nuisance. Representation was made on 2nd April, 2024 before the concerned authority for rendering police assistance which is also pending with the authority. He seeks for appropriate order.

Mr. Soumitra Bandopadhyay, learned Advocate for the State-respondent submits that direction be passed upon the respondent no.3, the Additional District Magistrate (LR) & District Land and Land Reforms Officer, Malda for accepting the balance bid amount and also for consideration of representation of the petitioners dated 2nd April, 2024 for rendering police assistance.

Having heard the learned Advocates for the respective parties, the petitioners are directed to deposit the balance bid amount before the respondent no.3, the

Additional District Magistrate (LR) & District Land and Land Reforms Officer, Malda within a period of one week. The Additional District Magistrate (LR) & District Land and Land Reforms Officer, Malda, the respondent no.3, is directed to consider the representation of the petitioners dated 2nd April, 2024 for rendering police assistance within a period of one week from the date of communication of this order.

Learned Advocate for the petitioners is directed to communicate this order to the respondent no.3, the Additional District Magistrate (LR) & District Land and Land Reforms Officer, Malda.

With the aforesaid direction, the writ petition being **W.P.A. 13065 of 2023** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)