

D/L22
17.12.2024
Bpg.
ct.no.35

W.P.A.14937 of 2024

**Nilkamal Naskar & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Indranil Chakravarti
Ms. Molly Saha.
...for the petitioners.

Mr. Subhendu Bandyapadhyay
Mr. Abhishek Chakraborty.
...for the State-respondents.

Affidavit-of-service filed by the petitioners be
kept with the record.

Petitioners are aggrieved by the fact that
although demolition order was passed by the BL &
LRO, Sankrail, Howrah on or about 12.12.2018 and
subsequent steps were taken in the year 2024, but till
date the construction which has been built up on a
water body, no steps have been taken by the police
authorities.

I find from the report so submitted on behalf
of the State that number of communications have
been made on December, 2023, January, 2024 and
May, 2024, but till date, according to the enclosures
in the report, the construction survives on the place
which has been complained of by the petitioners.

Petitioners are directed to send reminder to the appropriate authorities for carrying out their orders which were passed in the year 2018 and subsequently reiterated. In the meantime, the police authorities would keep a strict vigil so that no further construction is done in the subject matter of the property complained of in the writ petition and if the administration carries out their order which was initially passed on 12.12.2018 and subsequently reiterated, the police authorities would deploy adequate forces so that there is no breach of any law and order situation.

Petitioners would also be at liberty to approach the jurisdictional Magistrate under Section 175(3) of the BNSS if specific provisions of Special Act have been violated.

With the aforesaid observations, WPA 14937 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioners.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)