

04.07.2024
Item No.9
gd/ssd

WPA(P)/246/2024
BIPLAB NAYEK
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Supratick Syamal,
Ms. Minakshi Majumder

..for the Petitioner.

Mr. Jahar Lal De,
Mr. Supratim Dhar

..for the State.

1. By way of this public interest petition the petitioner seeks for appropriate direction against the respondents for construction of an embankment at Haripur Mouza to protect the livelihood of the villagers of Haripur by utilizing the fund sanctioned for implementation of the Sundarban Embankment Reconstruction Project.

2. It is seen that the Irrigation and Waterways Directorate, Government of West Bengal had issued a tender notice dated 21.08.2017 for various construction of various embankment projects.

3. However, the subject project appears to have not been included in the said tender.

4. Smt. Annapurna Das and six others had filed a writ petition in WP 4393(W) of 2012 for a direction not to initiate any work of reconstruction of new river embankment at the site facing river Saptamukhi from 11.40 Kilometer towards North 300

meter at Mouza Haripur under Haripur Gram Panchayat, District South 24-Parganas without taking steps on the representation made by them.

5. The writ petition appears to be for compensation payable to them on account of the proposed construction of the embankment.

6. It is stated that the said writ petition was lastly listed on 18.05.2012 and none appeared for the petitioners and the matter was delisted.

7. It is submitted that no further steps were taken by said writ petitioners to move the writ petition.

8. The learned advocate appearing for the petitioner on instruction submitted that the authorities appear to have made private negotiation with those land owners and the matter has attained finality.

9. In this regard, it is noted that the petitioner has submitted a representation to the District Magistrate, South 24-Parganas on 5th April, 2024 and it is shown that the representation has been delivered as copies of the track report given by the Department of Posts has been enclosed in the stay petition.

10. Since the matter is now pending consideration before the District Magistrate, we direct the District Magistrate and Collector, South 24-Parganas to consider the representation dated 5th April, 2024, examine all facts and take appropriate action in accordance with law and inform the writ petitioner by

inviting as to what action is being taken or proposed to be taken.

11. This direction be complied with within a period of three weeks from the date on which the petitioner submits a copy of the representation along with copy of this order and all other documents by personally appearing in the Office of the District Magistrate and Collector, South 24-Parganas.

12. Accordingly, the matter stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)