

10-05-2024
Item No.85 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.15327 of 2022
Smt. Sandhya Rani Bhattacharya & Ors.
-vs-
The State of West Bengal & Ors.

Mr. Priyabrata Batabyal
Mr. Anirban Sarkar ...for the petitioners

Mr. Wasimk Ahmed ...for the State

The petitioners complain of illegal filling up of a water body being plot no.16, Mouza Ghoshhat under the Katwa Municipality, which is classified as 'Doba' in the record of rights maintained by the land department of the State. Objection filed against such illegal filling up of the water body is pending consideration.

None represents the private respondents or the municipality. Affidavit of service is taken on record.

Without entering into the merits of the objection filed on behalf of the petitioners, the instant writ petition is disposed of by directing the tenth respondent – the Chairman, Katwa Municipality – to consider the representation dated June 2, 2022 and pass a reasoned order thereon.

A spot inspection shall be conducted to ascertain the genuineness of the allegation made in the representation. Report of the spot inspection be circulated. An opportunity of hearing shall be granted to all the necessary parties. If any remedial measure is required to be taken, the same shall be taken by the Chairman in accordance with law.

Steps shall be taken in the matter at the earliest but positively within twelve weeks from the date of communication of this order.

Learned advocate for the petitioners is directed to forward a copy of the representation dated June 2, 2022 to the aforesaid respondent at the time of communicating this order.

The writ petition stands disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

