

24.07.2024

WPA 18008 of 2024

**Habibur Rahaman & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Nitai Ch. Saha
Mr. Abhijit Ch. Majumder

... .. for the Petitioners

Mr. Malay Kumar Singh
Ms. Neelam Singh

...for the State

Affidavit of service filed by the petitioner is kept with the record.

Learned counsel appearing for the petitioners submits that the petitioners are joint owner of an undivided Vastu land encircled by more than forty trees like Safeda, Mango, Jamrul, etc. On 5th July, 2024 respondent no.7 along with respondent nos.8 to 12 started cutting down the trees forcibly, which is evident from the photographs enclosed in the writ petition.

The petitioners made a complaint on 9th July, 2024 of such incident before the Officer-in-Charge, Budge Budge Police Station, Kolkata as well as before the Divisional Forest Officer, (DFO) 24 parganas South, New Administrative Building, South Block Alipore, Kolkata but no steps have been taken on this regard.

Learned counsel appearing for the State files a report.

Let the report filed by the State be kept with the record.

Heard learned counsel for the parties at length.

The Divisional Forest Officer being respondent no.6 in the instant application is requested to immediately consider the representation of the petitioners dated 9th July, 2024 and issue notice to the private respondent being respondent nos.7 to 12. The concerned authority is also request to cause an inspection of the area and proceed to pass appropriate order on merits and in accordance with law in terms of Section 8 of the West Bengal Trees Protection and Conservation In Non-Forest Areas Act, 2006.

The Officer-in-Charge, Budge Budge Police Station is also directed to keep a sharp vigil at the locale and to ensure that no harm is done to the petitioners or their family members.

With the above directions the writ petition is disposed of.

No order as to costs.

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

(Rajarshi Bharadwaj, J.)