

S/L 22
16.01.2024
Court No.24
SD

WPA 23764 of 2023
With
CAN 1 of 2024

Ayesa Sardar
Vs.
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya
Mr. Saikat Sen
Mrs. Dipannita Ganguly
...for the Petitioner.

Mr. Anand Farmania
Mr. Manoj Kr. Mondal
...for the State.

Mr. Sankar Prasad Dalapati
Mr. Sourav Mondal
...for the Respondent No.12.

Mr. Kallol Basu
Mr. Arghya Chakrabarti
Ms. Atreya Chakraborty
...for the Respondent No.13.

A report has been filed by the Additional District Magistrate and District Land and Land Reforms Officer, South 24 Parganas. It appears therefrom that the authorities are taking steps against illegal filling up of the water body.

It further appears from the submission made on behalf of the private respondent and the Panchayat that the construction in question has been made without obtaining any sanction from the Panchayat.

Any construction which requires a sanction, but has been constructed without obtaining the necessary sanction, has to be dealt with in accordance with the Panchayat Law.

Since it has been admitted that the construction has been made without a sanctioned plan, the Panchayat is

directed to take necessary steps in accordance with law to deal with such unauthorized construction.

The proceeding in question shall be conducted upon giving prior notice to all the necessary parties and should be concluded at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The State respondent shall take necessary steps for restoration of the water body to its original position.

The writ petition stands disposed of. The connected application stands dismissed.

Urgent certified photocopy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(Amrita Sinha, J.)