

27.09.2024
Court No.2
Sl. No.46
KB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 2168 of 2023

**Parvati Gupta
-versus
The State of West Bengal & Ors.**

**Mr. Nripen Das
Mr. Debanjan Das
...For the Petitioner.**

**Mr. Subir Kumar Saha, Ld. AGP
Ms. Bedashruti Bose
...For the State.**

Affidavit of service filed in Court is taken on record.

Report in the form of affidavit is retained with the record.

Perused the report filed by the Block Development Officer which mentions that a spot enquiry was conducted and no visible sign of landslide in the plot could be found.

The report mentions that the house of the petitioner is located in a narrow lane and there is a small drain in between the house of the petitioner and the house of one Mr. Uttam Das Pradhan. The house of the petitioner is old and no repairing work has been undertaken.

The specific grievance of the petitioner is that in view of the incessant rain, landslide may occur causing

loss of valuable life and property. A guard wall may be required to be constructed to prevent loss of life and property.

The petitioner refers to the Government schemes where such type of action may be undertaken from the Government fund.

The Block Development Officer was of the opinion that there is a private dispute in between the petitioner and the adjacent owner.

The Block Development Officer is directed to ascertain as to whether there is any necessity for construction of a guard wall as a preventive measure so that no loss of life and property is caused because of the incessant torrential rain. If required, further spot inspection may be conducted to ascertain the necessity of construction of the guard wall upon prior notice to all the necessary parties.

If such preventive measure can be taken for the betterment of the general public, then steps shall be taken in this regard.

The writ petition stands disposed of.

Instruction is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(Amrita Sinha, J.)