

20.02.2025
Item No.35
gd/ssd

WPA(P)/21/2025
NASRIN BEGAM
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Madhu Jana,
Mr. Rahul Agarwala,
Mr. Golam Zaky,
Ms. Ritika Chowdhury
..for the Petitioner.

Mr. Nilotpal Chatterjee
..for the State.

Mr. Rwitendra Banerjee,
Mr. Shibasis Chatterjee,
Mr. Sandip Kundu
..for the Respondent Nos.7 and 8.

1. By this public interest writ petition the petitioner seeks for action being taken against the private respondents who stated to have been put up construction over a wetland.

2. The learned Government counsel has produced written instruction given by the District Magistrate, Hooghly from which it is seen in the year 2018 itself an order of conversion has been passed by the authorities under the provisions of the West Bengal Land Reforms Act.

3. Therefore, as long as the order has not been put to challenge in the manner known to law by following the procedure under the Act, the question of issuing a Writ of Mandamus would not arise.

4. That apart, the Act also provides a third party to challenge an order of conversion since the provisions states that any person aggrieved by an order to maintain a challenge to a conversion order.

5. Therefore, the writ petition is disposed of giving liberty to the petitioner to challenge the order of conversion as provided under the West Bengal Land Reforms Act and if the challenge is made, the same should not be rejected on the ground of limitation since the petitioner has come to know of the order of conversion only after the writ petition was filed based on the written instructions given by the District Magistrate, Hooghly.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)