

18.09.2025
Sl.68.
Suman
Ct.No.15

WPA 2496 of 2025

Hiralal Kumbhakar
Vs.
The State of West Bengal and Ors.

Mr. Surya Prasad Chattopadhyay
Mr. Satya Ranjan Kundu
..for the petitioner

Mr. Soumik Ganguli
..for respondent nos. 6 to 14.

Mr. Subrata Mukherjee
..for respondent no.5.

Mr. Lalit Mohan Mahato
Mr. Prasanta Behari Mahato
..for the State

The petitioner alleges that he has been prevented by his neighbours and other villagers from filling up a well constructed within the premises owned by him.

Learned advocate appearing for the petitioner submits that the well is no longer in use and is, in fact, abandoned.

Learned advocate representing the State submits that, upon enquiry, the concerned Block Land and Land Reforms Officer (BL&LRO) found that the well was indeed dug within the property owned by the petitioner.

Learned advocate appearing for the relevant Panchayat Pradhan supports this position.

Respondent nos. 6 to 14, however, submit that they have been fetching water from the well for a long time, although they are unable to produce any document or evidence to establish a legal right to use the well, which lies within the petitioner's property.

In view of the above, I find no justification for keeping this writ petition pending.

Accordingly, the petitioner is at liberty to fill up the well in question.

The Officer-in-Charge of the local police station shall render necessary assistance to the petitioner in this regard.

Accordingly, **WPA 2496 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)