

WPA(P) 79 of 2025
Susanta Paul and Ors.
Versus
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya, Adv.
Mr. Sounak Mondal, Adv.
Mr. Abhirup Halder, Adv.

...For the Petitioners

Mr. Shibaji Das, Adv.

...For the Private Respondents

Mr. Jahar Lal De, A.G.P.

Mr. Shamimu-Ul-Bari, Adv.

...For the State

1. This writ petition has been filed alleging that the private respondents illegally filled up water body and representations dated 31st January, 2025 and 6th February, 2025, given to the authorities in this regard have not been considered.
2. Learned advocate for the petitioners has drawn the attention of the court to the page No.18 to the writ petition which is stated to be a copy of the representation signed by several villagers and also refers to certain photographs.
3. It is submitted by the learned advocate for the private respondents that no filling of water body is being done by his clients and on account of some natural cause some areas of the water body has been filled up.
4. We are of the opinion that a decision cannot be taken based on certain photographs. What appears to be not in dispute that the land in

question is a water body. Therefore, we direct that the petitioner shall submit a fresh representation to the District Magistrate, South 24 Parganas, by appearing in person in the office of the District Magistrate enclosing copies of the earlier representation, photographs etc. as well as the copy of this order. On receipt of the representation, the District Magistrate shall nominate one senior officer who shall conduct an inspection of the area after notice to the petitioners as well as the private respondent Nos.7 to 10. To facilitate inspection, adequate police force may be deployed 6th respondent, police and the Block and Land Reforms Officer shall also be present at the time of inspection. Upon inspection, if the authorities are directed to proceed to take action in accordance with law after notice to the all concerned. The above directions be complied with within a period of six weeks, if fresh representation is submitted by the petitioner.

5. With the above directions, the writ petition is disposed of.

(T.S. Sivagnanam)
Chief Justice

[Chaitali Chatterjee (Das), J.]