

24.04.2025
Item No.6
PG/KS
Ct. No.1

W.P.A.(P) 129 of 2025
Sri Bidhan Mondal & Anr.
Versus
The State of West Bengal & Ors.

Mr. Avra Mazumder
Mr. Surajit Sengupta
Mr. Kausheyo Roy
Ms. Alisha Das
Mr. Suman Bhowmik
Mr. Samrat Das
Ms. Elina Dey
Mr. Sourendra Nath Banerjee

.....For the Petitioners

Mr. Sk. Md. Galib, Sr. Govt. Adv.
Mr. Abu Siddique Mallik

.....For the State

1. This writ petition has been filed as a public interest litigation directing the respondent nos.2 to 3 to forthwith restore the canal in its original nature and character.
2. The grievance of the petitioners is that in spite of representation being given and a belated inspection was conducted, no further action has been initiated.
3. The learned Government counsel has handed over a copy of the Memo issued by the Sub-Divisional Officer, Canning, South 24 Parganas dated 9th April, 2025, which has been issued to the respondent nos.7, 8 & 9, wherein it has been stated that it is alleged that the respondent nos. 7, 8 & 9 have been occupying Plot No.2606/3038 under J.L. No.18 of Mouza – Bally under Gosaba Police Station and some structures have been erected and using the same for various purposes illegally.
4. The Memo further states that the said plot is classified as 'Khal'.

5. Therefore, the respondent nos. 7, 8 & 9 have been directed to appear for a hearing on 25th April, 2025 at 12 noon in the Chambers of the Sub-Divisional Officer.
6. Thus, it is seen that the representation given by the petitioners has been acted upon and notice has already been issued to the respondent nos. 7, 8 & 9.
7. Let the appropriate authority proceed with the matter after hearing the respondent nos. 7, 8 & 9 on 25th April, 2025. The petitioners shall also appear in the office of the Sub-Divisional Officer and will be at liberty to place their submissions alongwith the relevant documents.
8. After considering the matter in its entirety, the Sub-Divisional Officer shall take a decision on merits and in accordance with law as expeditiously as possible.
9. With the aforesaid observations/directions, the writ petition stands disposed of.
- 10.No costs.
- 11.Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)