

28.02.2025
Court No.13
Item No.2
sp

**CPAN 584 of 2024
With
WPA 11379 of 2021**

**Hriday Ranjan Maji and Ors.
Vs.
Mr. Khursheed Ali Qadri,
Dist Magistrate, Paschim Medinipur and Ors.**

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. N. Samanta

... For the Petitioner.

Mr. Soumitra Bandopadhyay,
Mr. Ramchandra Guchhait

... For the alleged Contemnor Nos.1 to 9.

Ms. Rajlakshmi Ghatak

...for the alleged contemnor nos. 13 and 22

Mr. Tapas Mukherjee
Ms. Ankita Mondal

... For the alleged Contemnor Nos.14,
16 to 21 and 26 to 27.

Mr. Kumar Jyoti Tewari, ld. Sr. Adv.
Mr. Uttam Kr. Mondal,
Mrs. Maitree Roy,
Ms. Udit Mondal

..for the alleged contemnor nos. 23 & 26

1. This Court has been informed by the Daspur Police Station by way of a report that there is no fishing activity going on in the subject land of the applicant. The applicant's land measuring 2.43 acres. He shall be entitled to refill the land at its own cost initially and then take steps to recover the cost of refilling of the same against the private respondent.

2. The concerned B.L.&L.R.O. and the Daspur Police Station shall render all assistance to the applicant towards refilling of the land.

3. It is submitted by private respondent nos. 23 and 26 that a notification has been issued by the State dated 18th May, 2023 proposing to regularize certain converted lands into a water body on the terms and conditions thereon.

4. The petitioner and the counsel for the State argue that the private respondent nos. 23 and 26 have no locus to do so.

5. The parties may take out appropriate proceedings in law to redress their grievances in respect of the permission granted by the State.

6. The Daspur Police Station shall render necessary assistance to the applicant in filling up of the water body. The Daspur Police Station shall take coercive measures permitted under the law against the private respondents who have converted the petitioner's land into a water body.

7. The Officer of the B.L.&L.R.O. shall render all assistance for the purpose of measuring and carving out the petitioner's land in the water body concerned.

8. This Court deprecates as to how the State has allowed vacant lands to be converted into water body thereby making it very difficult for people like the applicant

to remove water from his land which may fall in the middle of huge water body of 100 acres.

9. In addition to the above, the parties may take out appropriate civil proceedings to remedy any other grievances that cannot be redressed outside Court.

10. The order restraining the respondents from conducting any pisciculture whatsoever or any part of portion of the converted land to water body shall continue to remain and operate.

11. With the aforesaid observations, CPAN 584 of 2024 shall stand disposed of. Rule, if any, shall stand discharged.

12. There shall be no order as to costs.

13. Interim orders, if any, shall stand vacated.

14. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)