

M/L 811
17.07.2025
ct.no.35
Kausik

W.P.A. 9760 of 2024

**Syed Badshah Ali & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Manas Kumar Das

...for the petitioners.

Mr. Sanjib Seth

...for the private respondent nos. 6 to 8.

Mrs. Dipanwita Ghosh Chowdhury

...for the State.

Affidavit of service filed be kept with the record.

Mr. Das, learned advocate appearing on behalf of the petitioner is aggrieved by the inaction of the police authorities as illegal excavation of sand was being carried out at his own land which was beside the riverbed. To that effect, in spite of informing the police authorities no steps have been taken and as such the petitioner has suffered irreparable loss and injury since the nature and character of the said land was bound to change because of such illegal act.

Learned advocate appearing for the respondent nos. 6 to 8 submits that they are

cultivators who have been falsely implicated by foisting fake accusations.

As none appears on behalf of the State, Mrs. Dipanwita Ghosh Chowdhury, learned advocate who ordinarily appears on behalf of the State is directed to represent the State. Her appearance may be regularized by the concerned authorities.

Having regard to the nature of the accusations so made, if the illegal activities as alleged by the petitioners still continues, petitioner is granted liberty to file a fresh representation with the Officer-in-Charge of Burwan Police Station as also the SDPO, Kandi. On inspection if it is found that the nature and character of the property has been changed, the police authorities under the relevant provisions of law would take steps after conducting an enquiry.

With the aforesaid observations WPA 9760 of 2024 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)