

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A 15283 of 2024**

**Ajay Mondal  
-versus  
The State of West Bengal & Ors.**

**Mr. Raj Kumar Sain.  
...For the Petitioner.**

1. The petitioner complains of illegal construction over a water body. The complaint filed before the District Magistrate and Collector Purba Medinipur is pending consideration.

2. None represents the respondents despite service.

3. Affidavit-of-service and the notice of upgradation filed in Court are taken on record.

4. As it appears that the complaint of the petitioner is pending consideration before the District Magistrate and Collector, accordingly, the instant writ petition is disposed of by directing the District Magistrate and Collector, Purba Medinipur being the respondent no. 2 herein to consider and dispose of the complaint filed by the petitioner in accordance with law at the earliest.

5. A spot inspection shall be conducted upon prior notice to all the parties to ascertain as to whether the water body has been filled up or not.

6. A reasoned order shall be passed and communicated to the parties.

7. Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

8. If the allegation of the petitioner is found to be proper, then necessary remedial steps shall be taken to restore the water body to its original state immediately thereafter.

9. Learned advocate for the petitioner is directed to forward a copy of the objection dated 9<sup>th</sup> May, 2024 to the aforesaid respondent at the time of communicating the order of the Court.

10. The writ petition stands disposed of.

11. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**( Amrita Sinha, J.)**