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16.09.2025
AGM

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

W.P.A 15945 of 2025

**Nimai Chandra Ojha
-versus
The State of West Bengal & Ors.**

**Mr. Anish Kumar Mukherjee.
Ms. Megha Datta.
Mr. Tamoghno Pramanick.
...For the Petitioner.**

1. None appears on behalf of the State respondents despite service.

2. Affidavit-of-service and the notice of upgradation filed in Court is taken on record.

3. The petitioner complains of illegal construction of a bridge over a waterbody which is recorded in the name of the Irrigation and Waterways Department.

4. In the absence of the respondents it is not possible for the Court to decide the issue conclusively.

5. A complaint before the Assistant Engineer, Tamluk Irrigation Sub Division, Irrigation and Waterways Directorate is pending consideration. None of the parties will be prejudiced if the writ petition is disposed of as under.

6. Without entering into the merit of the same, the instant writ petition is disposed of by directing the respondent no. 6 to consider and dispose of the objection filed by the petitioner in accordance with law

after giving reasonable opportunity of hearing to all the necessary parties at the earliest.

7. If it is found that the construction is illegal and does not bear any sanction of law, then steps for immediate demolition shall be taken.

8. A final decision shall be taken by the Authority at the earliest but positively within a period of six weeks from the date of communication of this order.

9. The writ petition stands disposed of.

10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)