

S/L 21
10.09.2025
Court. No. 19
Suvayan

WPA 20252 of 2025

**Nilima Mondal
Vs.
The State of West Bengal & Ors.**

*Mr. Tanmoy Mukherjee
Mr. Souvik Dan
Mr. Rudranil Das*

...for the petitioner.

*Mr. Dwarika Nath Mukherjee
Mr. Manik Lal De*

...for the State.

*Mr. Priyabrata Thakur
Ms. Sayani Das
Ms. Sreetama Biswas*

...for respondent nos. 13 and 14.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. The writ petitioner is aggrieved for non-consideration of her representation as made with the respondent no. 3/authority complaining illegal and unauthorized conversion of water body in respect of 174 decimal of land in LR plot no. 2872, Mouza – Atla within JL no. 58, P.S. – Rampurhat, Block – Rampurhat – I, District – Birbhum.
3. At the time of hearing, Mr. Mukherjee, learned Advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to page nos. 14, 15 and 20 of the instant writ petition. It is submitted by Mr. Mukherjee that from the LR plot no. 2872 it would reveal that that the said plot of land is classified as ‘pukur’ (water body) and after acquisition of 0.820 acres

of land the remaining portion of the said LR plot no. 2872 is still classified as water body.

4. It is further submitted by Mr. Mukherjee that under cover of her representation dated 30.06.2025 the writ petitioner complained unauthorized conversion of water body to the extent of 174 decimal in the said LR plot no. 2872 with the respondent no. 3/authority, however, the respondent no. 3/authority practically did nothing as a result whereof the illegal filling process at the instance of some local hooligans is still continuing.
5. It is further submitted by Mr. Mukherjee that the writ petitioner being a member of the local Panchayat is disgusted regarding the inaction of the respondent no 3/authority who is an authority under Article 12 of the Constitution of India. It is thus submitted by Mr. Mukherjee that appropriate relief/reliefs may be granted to the writ petitioner in terms of the prayers as made in the instant writ petition.
6. Mr. Mukherjee, learned Advocate appearing on behalf of the respondents/State and its instrumentalities in his usual fairness submits before this Court that the respondent no. 3/authority may be directed to consider the representation dated 30.06.2025, a copy of which has been annexed at page no. 23 of the instant writ petition in accordance with law.
7. Learned Advocate appearing on behalf of the private respondent nos. 13 and 14 who are the co-sharers of the self-same plot supported the contention of the writ petitioner.

8. On careful perusal of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no. 3/authority to consider the representation dated 30.06.2025 as submitted by the writ petitioner along with others in accordance with law after giving due opportunity of hearing to the writ petitioner and/or her authorized representative and if necessary after obtaining a report from the jurisdictional BL&LRO and thereafter shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner preferably by email, if the email detail of the writ petitioner is provided to him at the time of hearing.
9. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent no. 3/authority within 45 working days from the date of communication of the server copies of this order.
10. The time limit as fixed by this Court is mandatory and peremptory.
11. Before parting with it is further directed that the respondent nos. 3, 4 and 9/authorities are to ensure that no illegal filling of water body and/or conversion of the water body in LR plot no. 2872, Mouza – Atla within JL no. 58, P.S. – Rampurhat, Block – Rampurhat – I, District – Birbhum takes place till the passing of the reasoned order by the respondent no. 3/authority.

12. Liberty is given to the learned Advocate-on-Record for the writ petitioner to communicate the server copy of this order to the respondent nos. 3, 4 and 9/authorities.
13. The respondent nos. 3, 4 and 9/authorities are hereby directed to act on the server copy of this order.
14. With the aforementioned observation, the instant writ petition being WPA 20252 of 2025 is disposed of.
15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)