

20. 25.09.2025
Court No.8
(Tanmoy)

WPA (P)/391/2025

RABILAL MURMU AND ORS.

VS

STATE OF WEST BENGAL AND ORS.

Mr. Debashis Banerjee
Mr. Rakesh Jha

...for the petitioners.

Mr. Amal Kr. Sen, AAG
Mr. Vivekananda Bose, Jr. St. Counsel
Mr. Tirthankar Dey

...for the State.

Dictated by Smita Das De, J.

1. Learned Counsel for the petitioners and the State respondents are present.
2. The instant writ petition has been filed in the nature of a Public Interest Litigation (PIL), praying, *inter alia*, for the following relief:-

“a) A Writ of Mandamus do issue directing the Respondent authorities, their men, agents and employees to immediately stop all excavation and stone mining activities including activities for setting up of a stone quarry at the Plot being Dag No. 171, within Mouza – Tarachua, J.L. No. 36, Rampurhat Police Station in the District of Birbhum; ...”

3. The petitioners belong to agricultural and tribal families whose livelihood depend exclusively upon cultivation, irrigation and allied agrarian activities. Allegedly, at the plot being Dag No. 171 within Mouza – Tarachua, J.L. No. 36 of District – Birbhum, the private respondents commenced excavating the land with the object of setting up of

a stone quarry. The lands adjoining the proposed mining sites are highly agricultural fields which are being used for farming for generations by the owners of the lands. There is also an underground pipeline which carries water from the river Braja Durga which runs from West to East across the land in question for irrigation purpose installed by the Government which tantamount to be a lifeline of the locality and it supplies irrigation water to several hundred acres of cultivable land.

4. The main grievance of the petitioners being the excavation of stone quarry, the petitioners made representations before the concerned Authorities to initiate appropriate proceedings for stoppage of the excavation of stone quarry.

5. Since the Authority concerned till date does not take any step, the petitioners have filed the instant Public Interest Litigation (PIL).

6. We have heard learned Counsel for the parties. We directed that the petitioners shall make a comprehensive representation before the respondent no.4 being the District Magistrate, Birbhum, with regard to stoppage of excavation of stone quarry within a fortnight from the date of communication of this order. In turn, the respondent no.4 shall make an independent enquiry and arrive at a logical stand to ventilate

their grievance and dispose of the same by passing a reasoned and informed order upon affording an opportunity of hearing to all the interested parties. The entire exercise shall be completed within a period of sixty (60) days from the date of communication of this order.

7. The PIL is disposed of without expressing any opinion on the merits of the case.

8. Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all requisite formalities.

(Smita Das De, J.)

(Sujoy Paul, J.)