

41. 26.11.2025
Court No.01.

(Pritam)

WPA(P) 498 of 2025.

Sushanta Ghorai.

-Vs.-

State of West Bengal & Ors.

Mr. Tarun Kr. Das,
Mr. Dilip Kumar Shyamal.

....for the petitioner.

Ms. Parna Roy Choudhury,
Ms. Trisa Chanda.

.....for the State Fisheries Development
Cor. Ltd./respondents.

PER, PARTHA SARATHI SEN, J.:

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. In this second round of litigation, the writ petitioner has approached this Court for issuance of appropriate writ/writs against the respondent authorities for due monitoring of the progress of the work so that the required fund of Rs.157 crore as has been sanctioned in the year 2012-2013 for construction of Marine Fishing Harbor at Haripur is properly implemented and utilized.
3. On careful consideration of the entire materials as placed before this Court and after hearing learned advocate for the writ petitioner, it appears that in the earlier round of litigation, a Co-ordinate Bench of this

Court in WPA(P) 6/2025 passed an order dated 13th February, 2025, directing the State Fisheries Development Corporation Limited to closely monitor the progress of the aforementioned work and ensure early completion of the project.

4. It is submitted on behalf of the writ petitioner that by way of representations dated 30th April, 2025 and 13th May, 2025, the alleged illegality and irregularity was intimated to the Managing Director of the said Corporation but of no effect.
5. At the time of hearing, learned advocate for the writ petitioner draws attention of ours to page no.114 being a copy of an enquiry report dated 16th July, 2025 as submitted by the jurisdictional BL & LRO in connection with WPA 10443/2025.
6. It is submitted on behalf of the petitioner that the copy of the said report dated 16th July, 2025 clearly indicates deliberate violation on the part of the respondent authorities more specifically of the said Corporation in monitoring the said project, since from the said report it would reveal that some illegality and/or irregularity was committed while changing nature and character of the land.
7. On being asked by us, it is, however, candidly submitted by the learned advocate for the petitioner that while submitting the representations dated 30th April, 2025 and 13th May, 2025, the report dated 16th

July, 2025 as mentioned (supra) was not brought to the notice of the Managing Director of the said Corporation since the said report was post-dated.

8. In view of such, while disposing of the instant writ petition, we permit the writ petitioner to submit a fresh representation ventilating his grievance along with a copy of the said report dated 16th July, 2025 with the Managing Director, State Fisheries Development Corporation Limited who on receipt of such representation shall consider such representation in accordance with law and after giving due opportunity of hearing to the petitioner and/or any stakeholder, if there be any, shall pass a reasoned order and forthwith communicate the same both to the writ petitioner and other stakeholders.
9. The proposed representation as referred to above shall have to be submitted by the writ petitioner positively within 15 working days from today and in the event such representation is submitted within the stipulated time, the Managing Director of the aforementioned Corporation shall dispose of such representation within 30 working days from the date of receipt of such representation.
10. The time-limits as fixed by us are peremptory and mandatory.
11. With the aforementioned observations, WPA(P) 498 of 2025 is disposed of.

12. Before parting with, it is, however, made clear that while disposing of the instant writ petition, we have not gone into and have not expressed anything with regard to the merits of the instant writ petition.

(Sujoy Paul, ACJ.)

(Partha Sarathi Sen, J.)