

05.12.2025
Item No.14
Ct. No.01
RP

WPA(P) 518 of 2025
Alpana Saha (De) & Ors.
VS.
The State of West Bengal & Ors.

Mr. Debabrata Mondal
Ms. Sreetama Neogi
..For Petitioners
Mr. Kishore Datta, Ld. AG
Mr. Swapan Banerjee, Ld. AGP
Ms. Sumita Shaw
Mr. Soumen Chatterjee
..For State
Mr. Rakesh Singh
Ms. Rumki Guha
..For Respondent Nos.17-20

PER, PARTHA SARATH SEN, J.:

- 1.** Parties are represented through their respective learned counsels.
- 2.** Affidavit-of-service as filed in Court today be kept on record.
- 3.** By filing this petition, which is in the nature of Public Interest Litigation, the writ petitioners have complained illegal filling of a water body in LR Plot No.140, Mouza-Mahata, Police Station-Saktipur at the instance of the private respondents. Drawing attention to various annexures to the instant writ petition, it is submitted on behalf of the writ petitioners that materials have been placed before this Court

that without obtaining any conversion certificate from the respondent no.11 authority such illegal act has been done by the private respondents who are still continuing with illegal construction over the water body as well as filling thereof.

4. Learned advocate appearing for the private respondents have denied and disputed such contention.
5. We have heard the learned advocates for the respondent State.
6. On careful perusal of the entire materials as placed before us and after hearing the learned advocates for the contending parties, we while disposing of the instant writ petition directs the respondent no.11 authority to consider the representation of the writ petitioners in accordance with law after giving due opportunity of hearing both to the writ petitioners and private respondents and/or their authorized representatives and shall pass a reasoned order within sixty working days from the date of communication of the server copy of this order and shall forthwith communicate the

same both to the writ petitioners and private respondents.

- 7.** The respondent no.11 authority prior to passing of the reasoned order is at liberty to make a physical verification at the disputed plot.
- 8.** Before parting with, we make it further clear that in the event while passing the reasoned order the respondent no.11 authority finds substance in the representation(s) of the petitioners he shall forthwith take appropriate steps in accordance with law after giving an opportunity of hearing to the parties.
- 9.** With the aforementioned observations, this Public Interest Litigation is disposed of.
- 10.** Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, ACJ.]

[PARTHA SARATHI SEN, J.]