

01.04.2026
Item No. 32
Ct. No.1
PG

W.P.A. (P) 108 of 2026
Shridam Chandra Mondal.
Vs.
The State of West Bengal & Ors.

Mr. Sukumar Ghosh
Ms. Moumita Ghosh.....for the petitioner

Mr. Tapan Kr. Mukherjee, Ld. AGP
Mr. Pinaki Dhole.....for the State

DICTATED BY PARTHA SARATHI SEN, J.:

1. Affidavit of service filed in Court today is taken on record.
2. The writ petitioner and the respondents/State are represented by their respective learned counsels. None appears on behalf of the private respondents.
3. At the time of hearing, learned advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to the prayers made in the instant writ petition. It is submitted that since the respondent authorities have not taken any steps towards filling up of the water body at L.R. Plot No. 910 under Police Station-

Tamluk, District-Purba Medinipur, the writ petitioner is compelled to file the instant writ petition.

4. It is further submitted that prior to filing of the instant writ petition, the writ petitioner has submitted several representations with the respondent authorities but all in vain.
5. Mr. Mukherjee, learned senior advocate appearing on behalf of the respondents/State and duly assisted by Mr. Dhole, learned advocate submits before this Court that in terms of the provisions of section 17A (10) of the West Bengal Inland Fisheries Act, 1984, the District Magistrates of all districts are the competent authority to take appropriate action for restoration of water body.
6. On perusal of the entire materials, as placed before us, we have noticed that by way of a representation dated 09.12.2025, the writ petitioner approached the jurisdictional District Magistrate, who is

the respondent no. 4 herein alleging illegal filling up of the water body at the aforementioned plot.

7. No material could be placed on behalf of the State that the respondent no. 4 authority has taken any step pursuant to such representation.
8. In view of such, this Court, while disposing the instant writ petition directs the respondent no. 4 to consider the writ petitioner's representation dated 09.12.2025 in accordance with law and after giving due opportunity of hearing, both to the writ petitioner and the private respondents shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner and the private respondents.
9. The respondent no. 4 authority is further directed to take all appropriate consequential action in the event, while passing the reasoned order, he finds

sufficient merit in the representation dated 09.12.2025.

10. The entire exercise, as indicated in the foregoing paragraphs are to be completed by the respondent no. 4 authority within 60 working days from the date of communication of the server copy of this order.

11. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the respondent no. 4 authority, who is directed to act on the server copy of this order.

12. With the aforesaid observations/directions, the writ petition is disposed of.

13. Before parting with, it is made clear that while disposing of the instant writ petition, we have not gone into the merit of the representation dated 09.12.2025, as mentioned (supra) and thus, all points are kept open for adjudication by the respondent no.4 authority.

14. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)