

06.04.2026

Item No. 01

Ct. No.01

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W.P.A. 12237 of 2014
Samir Kumar Das.
Vs.
State of West Bengal & Ors.

Mr. Raghunath Chakraborty
Ms. Mohona Das.....for the petitioner

Mr. Jahar Lal De, Ld. AGP
Ms. Munmun Tewari.....for the State

DICTATED BY PARTHA SARATHI SEN, J.:

1. The writ petitioner and the respondents/State are represented by their respective learned counsels.
2. By filing the instant writ petition, the writ petitioner has alleged illegal filling up of water body in the Plot No. 475, Mouza-Krishnanagar, District-Hooghly by some raiyats, particulars of whom have been mentioned in paragraph 6 of the instant writ petition.
3. Drawing attention to the prayer portion of the writ petition, it is submitted by Mr. Chakraborty, learned counsel for petitioner that a pond should not be converted into other category except with the permission of the Collector in terms of section 4C of the

West Bengal Land Reforms Act, 1955 (hereinafter referred to as the 'said Act of 1955') and at the same time in view of the provisions of section 17A of the West Bengal Inland Fisheries Act, 1984 (hereinafter referred to as the 'said Act of 1984').

4. At this juncture, Mr. Chakraborty, learned counsel for petitioner further draws our attention to the report of the BL&LRO, Jangipara, District-Hooghly dated 13.07.2023. It is submitted by Mr. Chakraborty that from the last but one paragraph of the said report dated 13.07.2023, it would reveal that being directed by a coordinate Bench of this Court in connection with instant writ petition, a field inquiry was held over the relevant plot no. 475 and in course of such inquiry, illegal conversion of land was found and accordingly, notice to all concerned persons under section 4C(5) of the said Act of 1955 was issued.
5. Mr. Chakraborty, thus, submits before this Court that appropriate relief/reliefs may be

granted to the writ petitioner in terms of the provisions of the said Act of 1955 as well as the said Act of 1984.

6. Mr. De, learned Additional Government Pleader appearing on behalf of the respondents/State in his usual fairness submits before this Court that the jurisdictional BL&LRO, Jangipara, Hooghly may be directed to conclude the proceedings under section 4C(5) of the said Act of 1955 after giving due notice to all the stakeholders in accordance with law.
7. In view of the facts and circumstances, as discussed in the foregoing paragraphs, this Court while disposing the instant writ petition, directs the respondent no. 7 authority i.e. BL&LRO, Jangipara, District-Hooghly to conclude the proceeding as initiated by him under section 4C(5) of the said Act of 1955 regarding illegal conversion of land being Plot No. 475 in Mouza-Krishnangar, District-Hooghly after giving due notice to the petitioner and all raiyats, whose names have been recorded in respect

of the said plot and to come to a logical conclusion of the same within 120 working days from the date of communication of server copy of this order.

8. It is further directed that after conclusion of the said proceeding under section 4C of the said Act of 1955, in the event respondent no. 7 authority finds deviation and/or infraction of the provisions of section 4C of the said Act of 1955, he is directed to take consequential action forthwith.
9. The time limit, as fixed by this Court is peremptory and mandatory.
10. 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. 7 authority for his due compliance and the respondent no. 7 authority is directed to act on the basis of the server copy of this order.
11. For abundant caution, we also direct the department to communicate the server copy of this order to the respondent no. 4, District Magistrate & Collector, District-

Hooghly, who, on receipt of the same, shall ensure that the order passed by this Court is duly complied with by the respondent no. 7 authority.

12. With the aforementioned observations, and directions the instant writ petition is disposed of.

13. 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.)