

03.09.2025
Item No.24
gd/ssd

WPA(P)/259/2023
SURAJIT ADHIKARI
VS
STATE OF WEST BENGAL AND ORS.

Mr. Chirantan Sarkar
..for the Petitioner.

Mr. Jahar Lal De
..for the State.

1. Learned counsel appears for the petitioner and counsel appears for the State.

2. None appears for the private respondents despite service.

3. Learned counsel for the petitioner submits that despite finding that the water body was illegally filled up and illegal construction has been raised, no effective steps have been taken to restore the water body. Merely because a penal action is initiated it will not serve the purpose unless the water body is restored to its original position.

4. Faced with this, learned Government counsel placed reliance on his notice being Memo No.899/blro/katwa-1/2023 dated 14.06.2023 whereby Block Land and Land Reforms Officer directed to restore the land to its original position within seven days by the owner in exercise of power under Section 4C(5) of WBLR Act, 1955.

5. Learned counsel for the petitioner submits that this is only a paper formality. On the ground no action has been taken to restore the water body.

6. Sri De submits that effective steps will be taken to implement the notice dated 14.06.2023.

7. Considering the aforesaid, list this matter in the week commencing 1st December, 2025.

8. In the meantime, the respondents shall implement the notice dated 14.06.2023 aforesaid and file a compliance report before this court supported by an affidavit.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)