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WPA (P) 32 of 2021

Uttam Kumar Paul

Vs.

The State of West Bengal & Ors.

Mr. Tushar Sinha Mahapatra
... For the Petitioner.

Mr. Dipankar Dasgupta,
Mr. Swapan Kumar Dutta
... For the State.

Mr. Prabir Kumar Chaudhuri,
Mr. Prasanta Bishal
... For Respondent Nos.10 to 18.

1. This writ petition projects the devastating impact of ruthless intrusion into alluvial lands which are spread over of river banks. It is submitted by learned counsel appearing for the Government, that the complaint relates to lands which are lying adjacent to lands vested in Government. Obviously, therefore, there cannot be any private individual right being permitted to operate on the lands which abut the flowing river or stagnant river or a stagnant water body as well as the banks thereof including the alluvial landscape. Such activities, will also be tremendously prejudicial to the interest of the State if the lands which are vested in it are not protected. It is the submission of learned counsel for the State Government that the local authorities, namely, the BL & LRO and other

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not only from the private respondents who are added as parties with allegations against them, but also from being scouted upon by any person except where requisite sanction is given in strict conformity with the laws governing activities on rivers including river banks or on alluvial landscapes.

2. In the aforesaid situation, we hereby pass an order of injunction restraining any activity on the lands which are river banks or alluvial landscapes or alluviated lands whether in the form of brick kilns or brick-making process or other activities. This injunction will be treated as one against any person indulging in activities in any such area in the State of West Bengal and shall be strictly enforced by the jurisdictional BL&LRO, the District Magistrate, the Superintendent of Police and police officers under the command of the Superintendent of Police in every district concerned.

3. Report of action taken on the basis of this order shall be placed before us on behalf of the State Government in the form of an affidavit before the next date of hearing.

4. Post the matter on 11-06-2021.