

26 23.07.2013

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W.P. 15150 (W) of 2013

Smt. Anita De Biswas
Vs.
State of West Bengal & Ors.

Mr. Aninda Bhattacharya
..for the Petitioner

Mr. Amit Prokash Lahiri
Mr. Pinaki Dhole
..for the State

The petitioner has decided not to proceed with the petition upon the petitioner not making much headway despite a seemingly mischievous attempt. The order dated July 19, 2013 recognised that the petitioner was attempting to undertake a construction in an area covered by the East Kolkata Wetlands (Conservation and Management) Act, 2006. By such order, the petitioner was restrained from carrying on any construction and the police authorities were required to ensure that there was no construction in any area covered by the said Act, particularly the land at RS Dag No.54, Mouza-Jagatipota, JL No.3, P.S. Sonarpur.

Since the petitioner is not desirous of proceeding with the matter, W.P. 15150 (W) of 2013 is dismissed

as not pressed.

However, the officer-in-charge of Sonarpur Police Station should forward the report directed to be filed by the order dated July 19, 2013 to the East Kolkata Wetlands Management Authority for such authority to take appropriate steps in accordance with law against the petitioner and any other person who may have attempted to undertake any construction in any area covered by the said Act of 2006. The petitioner will also pay costs assessed at Rs.50,000/- to the East Kolkata Wetlands Management Authority, which will be entitled to execute the order for payment of costs in accordance with law if not deposited within a week from date.

The petitioner's unwillingness to proceed with the petition should also not discourage any appropriate authority from proceeding against the petitioner on account of any forged documents which the petitioner may have relied upon. It will also be open to the East Kolkata Wetlands Management Authority to apply under Section 340 of the Criminal Procedure Code before this court if it perceives that the petitioner attempted to rely on forged documents before this

court.

Urgent certified photocopies of this order, if applied for, be given to the parties upon compliance of the requisite formalities.

(Sanjib Banerjee, J.)