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16.03.2021

(Through Video Conference)

Item no. 15

Dd/aloke

**WPA 7051 of 2020
with
IA No : CAN 1 of 2020**

**Lakshmikanta Lagar & Ors.
Vs.
State of West Bengal & Ors.**

*Mr. Pingal Bhattacharyya, adv.
Mr. Neil Basu, adv.
... .. For the Petitioners*

*Mr. Tapan Kumar Mukherjee, Id. AGP
Mr. Somnath Naskar, adv.
... ..For the State*

We are thoroughly dissatisfied with the report dated 11.03.2021 placed by the District Magistrate, Purba Medinipur. The said report is taken on record. A copy of the said report be given to the learned counsel appearing for the petitioner.

The minimum and the most modest comment that we will put on it is that the contents of the said report is a shame on the face of the Indian Constitution.

We are dealing with the right of the human beings to have due disposal of dead bodies in a geographical scenario where land is scarce. We are also dealing with a community who are unfortunately treated as marginalized as a result of socio-economic deprivation.

Any unit of governance guided by the principles of the Constitution, particularly, the Constitutional values and the cardinal human values embedded in it

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through the doctrine of dignity contained in its Preamble would have definitely done what ought to have been done for the people even without any judicial order. We say so in view of the fact that the writ petition has come up since no due action was taken in spite of requests. If the District administration and the Local Self-government Institutions as well as the Development Authorities do not have the ability to foresee the requirement of crematorium, we do not think that there can be any development through these institutions except to fill the belly of those who are administering those systems.

We adjourn this matter to **19.03.2021** so that those responsible to do the needful will place before us the steps taken, disclosing the facts and figures and date-wise Action Taken Report on the issue concerned.

Let this be treated as a peremptory direction, in failure of which, we will proceed with further action against all concerned including the District Magistrate, Purba Medinipur.

The petitioner is directed to communicate a copy of this order to the District Magistrate, Purba Medinipur.

[Thottathil B. Radhakrishnan, C.J]

[Aniruddha Roy, J.]

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