

Ct. 05
Item No.13
25.11.2020
(suvendu)

WPA 6704 of 2020
With
IA No. CAN 1 of 2020
(Old No. CAN 5602 of 2020)

(Via Video Conference)

Bimal Patra & Ors.
Vs.
Union of India & Ors.

Mr. R.N.Chakraborty
Mr. M. Ahmed

.....for the Petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar

.....for the State

The writ petitioners are aggrieved by construction of a causeway as well as a narrow embankment in the land owned by the writ petitioners including widening of roads etc. by the local Gram Panchayat.

Learned counsel appearing for the writ petitioners submits that all such construction was done by the local Gram Panchayat without the consent of the writ petitioners. All four writ petitioners claimed to have some ownership interest in the concerned land. Learned counsel appearing for the writ petitioners places a letter written to the Block Development Officer, Jangipara, Hooghly on 21st December, 2019 outlining the grievance of the writ petitioners and also letter written to the Secretary, Department of Rural Development on 6th March, 2020 which get details of the unauthorised work being carried on in the land belonging to the petitioners.

Counsel submits that pursuant to the aforesaid letter, the Under Secretary to the Government of India wrote a letter to the Panchayat and Rural Development Department, Government of West Bengal on 19th March, 2020 requesting that necessary action be taken and a suitable reply to send to the petitioners.

Learned counsel for the State submits that the application/representation made by the petitioners on 21st December, 2019 will be considered by the Block Development Officer, Jangipara, Hooghly.

Upon hearing the learned counsel for the parties, this Court is of the view that the writ petition together with the CAN application can be disposed of with a direction on the respondent no.9 namely Block Development Officer-come-Executive Officer, Jangipara Panchayat Samity to dispose of the application/representation of the petitioners (annexure P-1) within a period of six weeks from date. The concerned respondent will give hearing to the all concerned parties and pass a reasoned order upon such parties being heard. It is made clear that the hearing can also be given on the virtual platform. Copy of the reasoned order shall be served upon the petitioner no.1 and upon receipt of the same, the petitioner no.1 can serve the same upon the other petitioners.

WPA 6704 of 2020 and CAN 1 of 2020 are disposed of in terms of above.

(Moushumi Bhattacharya, J.)

