

24.12.2020

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**W. P.A. 20674 of 2012
(Via Video Conference)**

Haripada Halder

Vs.

State of West Bengal & Ors.

Mr. Lakshmi Nath Bhattachaya

... For petitioner.

Ms. Sonal Sinha

... For State.

Affidavit-of-service is filed.

Mr. Bhattacharya, learned advocate appears on behalf of petitioner and submits his client's grievance is that private respondent has made unauthorized construction. He files supplementary affidavit, on leave obtained. In it is disclosed his client queries by letter dated 14th December, 2015, redirected for answer by Chandpur Chaitanyapur Gram Panchayat. The Panchayat by communication dated 16th July, 2015 said as follows:

"As per your order bearing memo no.18/SPIO/RTI/MBZ under R T I Act. 2005 dt. 02/07/2015, I have enquired and I came to know by field verification and from our office register that Dhananjay Halder and Hemanta Barman have no permission to construct building on that said premises. They confessed by written

note that they did not know permission is taken or not.”

Ms. Sinha, learned advocate appears on behalf of State and submits, petitioner will be notified shortly and can have notice now, hearing has been fixed by Block Development Officer, Mandirbazar, South 24 Parganas on 6th January, 2021 at 10-30 a.m. Proceeding has been initiated, on the information received, and the administration will act in accordance with law.

The authority will hear and conclude the proceeding by four weeks from said hearing date. Decision is to be made known to petitioner, with reasons, if the structure is allowed to stand. In event decision to demolish is taken, it must be executed forthwith thereafter.

The writ petition is disposed of.

(Arindam Sinha, J.)