

23.02.2021
SL No.128
Court No.24
(P.M.)

WPA 86 of 2021

**Madan Mohan Mondal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal
... for the petitioners

Mr. Pawan Kumar Gupta
Mr. Ravi Ranjan Kumar
... for the respondent No. 5 and 6.

Mr. Bipin Ghosh
.... For the State

The primary allegation of the petitioners is that the Panchayet has constructed a road over the private land of the petitioners at L.R. Plot no. 30, Khatian No. 264, Mouja Hatinagar, PS Mayureswar, District Birbhum.

The petitioners allege that series of representations made by them before the concerned authorities have remained unheeded.

The learned advocate representing the Kundala Gram Panchayet has filed a report prepared by the Prodhan wherefrom it appears that the construction of the public road was made in plot no. 35 and not over the plot No. 30 as alleged by the petitioners.

The report further mentions that the construction has been completed on 1st June, 2020. The Prodhan has categorically mentioned that the construction of public road has been done after maintaining all the formalities and the

necessary documents in connection to the same has been annexed to the said report.

As it appears that there is factual dispute involved in the matter and documents have been annexed in support of the report filed by the Prodhan that the construction was made over the plot No. 35 and not over the plot of the petitioners being the plot No. 30 accordingly, no relief can be granted to the petitioners in the instant case.

WPA 86 of 2021 stands dismissed.

The petitioners will be at liberty to approach the appropriate forum, in accordance with law, if any of their civil rights have been infringed by the respondent authorities.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)