

09
12.02.2021.
d.p.

**W.P.A 1973 of 2021
(Via Video Conference)**

**Anima Rani Hajari
-versus
The State of West Bengal & Ors.**

**Mr. Shuvanil Chakraborty,
Ms. Chandana Ghosh.
...For the Petitioner.**

**Mr. Santanu Mitra,
Ms. Rama Halder.
...For the State.**

**Mr. Sabyasachi Mukhopadhyay.
...For the Respondent
No. 6.**

Affidavit-of-service filed in Court today is taken on record.

The grievance of the petitioner is that the private respondent is making construction by encroaching the portion of her land.

The petitioner claims to have made a representation before the Pradhan of the Gram Panchayat and the other respondents by a letter dated 22nd December, 2020.

The petitioner complains that the said letter has not been taken up for consideration by the respondent authorities till date.

The learned advocate appearing for the private respondent submits, upon instructions, that the portion of the land where the construction is being

made is an undemarcated plot of land and the private respondent is a co-sharer of the said land.

It has been submitted that the land has not been partitioned and the private respondent has made construction in his share of the property.

It appears from the submission on behalf of the parties that the petitioner is aggrieved with the alleged illegal encroachment of her land by the private respondent.

The issue cannot be decided either by the writ court or by the Pradhan of the Gram Panchayat.

The petitioner will be at liberty to approach the appropriate forum, for redressal of her grievance, in accordance with law, if so advised.

W.P.A. 1973 of 2021 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)