

11.03.2021
SL No. 102
Court No.24
(P.M.)

WPA 2347 of 2021

**Uday Chand Patra & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Debnarayan Banerjee
... for the petitioners

Mr. Chandi Charan De, A.G.P.
Mr. Chandan Ghosh
... for the State

None appears on behalf of the Gram Panchayet, the Prodhan of Monteswar Gram Panchayet and the private respondents despite service.

The petitioners submit that the private respondents have illegally encroached upon their portion of the land and made unauthorised construction thereon. In response to the complaint filed by the petitioners, the Prodhan of the Gram Panchayet requested the parties to appear for a hearing along with their amin.

From the document annexed at page 25 of the writ petition it appears that a hearing was conducted by the Prodhan on 9th October, 2020 wherein all the parties appeared.

The petitioners prayed for removal of the unauthorised encroachment by the private respondents and the deliberations were primarily with regard to the removal of unauthorised encroachment.

There was hardly any discussion with regard to any unauthorised construction by the private respondents in the said plot of land.

The petitioners have admitted that the private respondents are the co-sharers of the said plot of land where construction has been made and the private respondents are residing in the said construction.

It appears from the submissions of the petitioners that the dispute in question is purely private in nature. No relief can be granted to the petitioners in the instant case.

WPA 2347 of 2021 stands dismissed.

However, dismissal of the writ petition will not stand in the way of the writ petitioners from approaching the appropriate forum, in accordance with law, for redressal of their grievances, if so advised.

Affidavit of service filed in Court is taken on record.

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

(Amrita Sinha, J.)