

Item No.121

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

25.02.2021
Ct-24

W.P.A. 50 of 2015
Sri Jagadis Mondal & Anr.
v
The State of West Bengal & Ors.

Mr. Sujit Saha
... for the petitioners.

Mr. Santanu Mitra
Mr. Mohim Choudhury
... for the State.

The petitioners allege unauthorized construction being made in the Dag No. 3240, J.L. No. 31, Khatian No. Sabek- 13, R.S. -476 and 644, Mouza- Chandpala, Anantarampur, P.S. – Falta, District- South 24 Parganas.

A field enquiry report was prepared by the Revenue Inspector, Barsingha-II Gram Panchayet on June 3, 2014 and forwarded to the Block Land & Land Reforms Officer, Falta, South 24 Parganas where it had been mentioned that there was unauthorized construction over the Dag No. 3240.

The petitioner No. 1 has made a representation before the Panchayat Pradhan, Belsingha-II Gram Panchayat by a letter dated September 29, 2014. The

petitioner no. 1 alleges that the said representation has not been considered by the respondent authority till date.

The petitioners have failed to show any document that the copy of the writ petition was served upon the Panchayat.

As it appears that the representation made by the petitioner no. 1 before the Panchayat is pending consideration for a considerable period of time, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the Prodhan, Belsingha-II Gram Panchayat being the respondent no. 3 herein to consider the representation made by the petitioner no. 1 alleging unauthorized construction, strictly in accordance with law, within a period of four months from the date of communication of a copy of this order. The said respondent shall give an opportunity of hearing to the petitioners and all other necessary parties and pass a reasoned order and communicate the same to all the parties immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the said respondent

at the time of consideration of the representation of the petitioners.

The petitioners are directed to forward a copy of the representation dated September 29, 2014 along with the report of the Revenue Inspector dated June 3, 2014 at the time of communicating the order of this Court.

WPA 50 of 2015 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(**Amrita Sinha, J.**)