

02.03.2021
SL No. 134
Court No.24
(P.M.)

WPA 2874 of 2021

**Golam Rasul Laskar & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Mahendra Prasad Gupta
Mr. Anjan Dutta,
Ms. Antara Panja
... for the petitioners

Mr. Ansar Mondal,
Mr. Sougata Mitra
... for the State

Petitioners claim to be the recorded owners of the plot of land at Mouza Anandabad, J.L. No. 161, Khatian No. 945, 994(940), 950, 979, 934, L.R. Dag Nos. 16, 17, 26, 27, 28, 29, 30, 46, 47, 40, 41, 42, 43, 44, 45, 46, 3084/5, 6, 7, 8, 9, 10, 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25, 31, 32, 33, 34, 35, 37, 38, 39.

The grievance of the petitioners is that the Prodhan of the Basanti Gram Panchayet is using the land of the petitioners for parking JCB in connection with the “MGNREGA” Projects. The petitioners submit that in view of the aforesaid illegal parking of the heavy vehicles the petitioners cannot use the said land for the purpose of cultivation.

The petitioners have made a representation before the Block Development Officer, Basanti Block on 19th January, 2021. The petitioners submit that the said representation has not been considered by the respondent authority till date.

The learned advocate appearing on behalf of the State respondent does not have any instruction in the matter.

As it appears that the representation of the petitioners is pending consideration at the end of the Block Development Officer, Basanti Block, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no. 5 being the Block Development Officer to consider the representation filed by the petitioners on 19th January, 2021, strictly in accordance with law, after giving an opportunity of hearing to the petitioners and all other necessary parties within a period of six weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioners and all the necessary parties immediately thereafter.

The Block Development Officer shall take necessary consequential steps in the event it is found that the land of the petitioners is being utilized by the Panchayet without any authority of law.

WPA 2874 of 2021 stands disposed of.

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.)