

S/L 24
12.03.2021
Court No.24
SB

WPA 3471 of 2021
(Via Video Conference)

Rousonara Bibi Sardar and Others
Vs.
The State of West Bengal & Ors.

Mr. Jaharlal Roy
Ms. Kavita Rani

... for the Petitioner.

Mr. Bipin Ghosh

...for the State.

Affidavit of service filed in court today is taken on record.

None appears on behalf of the Panchayat and the private respondent in spite of service.

The petitioners allege illegal and unauthorized construction by the private respondent in Plot Nos. 225 and 226, Mouza Narullapur. They made objection against the same and claims that their objection has not been considered till date.

As it appears that the representation of the petitioners objecting to the illegal and unauthorized construction is pending consideration at the end of the respondent authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no 3 being the Pradhan,

Dakshin Barasat Gram Panchayat to consider and dispose of the representation made by the petitioners strictly in accordance with law, at the earliest, but positively within a period of six months from the date of communication of a copy of this order.

In the event the aforesaid respondent is of the considered opinion that the construction has been made either in violation of the plan sanctioned or devoid the sanction plan, then necessary steps shall be taken to deal with such unauthorized construction, in accordance with law.

It is made clear that this Court has not entered into the merits of the claim made by the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioners.

The aforesaid respondent shall restrict the consideration of the representation with regard to unauthorized construction only and not enter into or decide any private dispute of the parties regarding right, title and interest in respect of the aforesaid land.

The petitioners are directed to forward a copy of the representation dated 18.01.2021 to the aforesaid respondent at the time of communicating the order of the Court.

WPA 3471 of 2021 stands disposed of.

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

(Amrita Sinha, J.)