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08.04.2021.
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**W.P.A 3924 of 2021
(Via Video Conference)**

**Jasimuddin Mir
-versus
The State of West Bengal & Ors.**

**Ms. Pampa Dey Dhabal.
...For the Petitioner.**

**Mr. Sirsanya Bandhopadhyay,
Ms. Sudeshna Mazumder.
...For the State.**

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

The petitioner alleges illegal and unauthorized construction by the private respondents without obtaining any sanction plan.

The petitioner raised an objection before the respondent authorities including the Pradhan of the Kasipur Alampur Gram Panchayat by representation dated 27th January, 2021 and complains that the same has not been considered by the respondent authorities till date.

None appears on behalf of the Pradhan and the private respondents in spite of service.

As it appears that the representation of the petitioner 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. 6, being the Pradhan, Kasipur Alampur Gram Panchayat herein to consider and dispose of the representation made by the petitioner strictly in accordance with law, at the earliest, but positively within a period of twelve weeks 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 petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

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 petitioner is directed to forward a copy of the representation dated 27th January, 2021 to the aforesaid respondent at the time of communicating the order of the Court.

WPA 3924 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.)