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08.04.2021.
d.p.

**W.P.A 4286 of 2021
(Via Video Conference)**

**Tapan Kumar Jana
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Sundar Das,
Mr. Anindya Bose,
Ms. Ananya Chakraborty.
...For the Petitioner.**

**Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar.
...For the State.**

**Mr. Pradip Kumar Das.
...For the Respondent No.4.**

The petitioner alleges unauthorized construction by the private respondent over plot no. 902, Simulia Mouza, Simulia Gram Panchayat.

The learned advocate appearing for the petitioner relies upon a reply dated 30th July, 2014 given under the Right to Information Act wherein it has been mentioned that no application has been received for construction of house in Plot No. 902 upto 30th July, 2014.

According to the petitioner, the private respondent constructed the building in question without obtaining any permission or sanction from the Simulia Gram Panchayat.

The learned advocate appearing for the private respondent produces a sanctioned plan before this

Court dated 22nd October, 2014 wherefrom it appears that permission has been granted to the private respondent for making construction in the Plot No. 902.

The learned advocate appearing for the private respondent submits that construction has been made in his portion of the land comprising of 16 decimals in Plot No. 902 after obtaining the sanction from the Simulia Gram Panchayat.

In view of the aforesaid submission, it appears that the contention of the petitioner that the construction was being made without a sanction plan remains unsubstantiated.

Accordingly, no relief can be granted to the petitioner in the instant case.

The writ petition is dismissed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)