

23.03.2021
p.b.
Sl. No.149

W.P.A. 5637 of 2021

Md. Abu Naser
Vs.
The State of West Bengal & Ors.

Mr. Sohan Majumder
.....for the petitioner
Mr. Sk. Mujibar Rahaman,
Mr. Jahangir Hossain.
.....for the State.

Affidavit of service filed in Court today be kept with
the record.

None appears for the private respondent.

In compliance of the order passed by this Court in
W.P. 11643(W) of 2017 on September 1, 2017, the
Pradhan of the gram panchayat considered the prayer of
the petitioner and passed an order on February 24, 2020.
The same is impugned in the instant writ petition.

The Pradhan was of the opinion that for the purpose
of proper demarcation of the land and building, the
assistance of Amin/Surveyor of the Block Development
Office was required. The Pradhan mentioned in the
impugned order that after all assistance and proper
consideration and co-operation of the Amin/Surveyor the
panchayat will take decision in accordance with law.

The time to comply with the direction passed by the Court on September 1, 2017 in W.P. 11643(W) of 2017 is further extended till July 20, 2021. The Pradhan shall approach the Block Development Officer for providing the necessary assistance of Amin/Surveyor so that the Pradhan may take a decision in accordance with law upon consideration of the complaint filed by the petitioner alleging unauthorised construction by the private respondent.

W.P.A. 5637 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)