

25.03.2021
SL No. 154
Court No.24
(P.M.)

WPA 5639 of 2021
Chandi Charan Mandal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Dhana Krishna Adhikari,
Mr. Dipanjoy Bhattacharya
... for the petitioners

Ms. Malaysree Maity
.... For the respondent Nos. 9. 10 & 11

Ms. Sipra Majumder,
Ms. Prativa Ghatak
... for the State

The grievance of the petitioners is that the private respondents are making construction over agricultural land, in front of his plot of land, without obtaining the necessary conversion from the Land and Land Reforms Department.

The petitioners submit that the land in question is not demarcated and he is staying in a portion of the said land by raising construction thereon. The petitioners complain that the representation made by the petitioners before the Prodhan against such unauthorized construction has not been considered till date.

The learned advocate appearing on behalf of the private respondents disputes the claim of the petitioners and submits that they have made construction upon their private plot of land upon obtaining necessary permission from the Panchayet. It has been submitted that the construction was complete in the year 2017. It has further

been submitted that the petitioners herein filed two Title Suits against the private respondents being T.S. No. 7 of 2017 and T.S. No. 10 of 2017 before the Court below but withdrew the same.

It appears from the submissions of the parties that there is a dispute with regard to the title of the property in question and the Prodhan will not be the appropriate authority to decide the same. The land in question is an un-demarcated one.

The petitioners are accordingly relegated to the appropriate forum, to take necessary steps, in accordance with law, for redressal of their grievances, if so advised.

WPA 5639 of 2021 stands dismissed.

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

(Amrita Sinha, J.)