

10.11.2021
Court No. 19
Item no.8
sn

WPA No.4018 of 2020

PROTAP DAS & ANR.
VS.
THE STATE OF WEST BENGAL & ORS.
(via video conference)

Mr. S.K. Humayun Reza
Mr. A. Hossain ...for the Petitioners

Ms. Sima Adhikary ..for the State

Mr. N. Chatterjee ..for the respdt.7

Despite service, none appears on behalf of the panchayat authorities.

The Executive Officer of the Singur Panchayat Samity has filed a report, from which it appears that the respondent no. 7 was granted permission to raise a construction. The learned advocate for the respondent no.7 also produces a plan annexed to the deed of sale on the basis of which the plot of land was purchased by the respondent no.7. The plan does not show that there was existence of any drain around the said plot of land. He also produces a plan showing sanction given by the panchayat authorities. However, from the annexure to the writ petition, it appears that there has been a long standing dispute over the alleged construction and the villagers have raised an objection that the construction has been obstructing and blocking the sewerage.

Under such circumstances, this writ petition is disposed of with a direction upon the Pradhan, Singur Gram Panchayat-I to ensure that the construction which is being made by the respondent no.7 is strictly in accordance with the permission and plan. The said construction shall not hamper the sewerage in the locality or block any existing drain, if at all, which had been used by the villagers in the past.

This order shall not be construed as a declaration that there is an existing drain in the said area. It is for the Pradhan to ensure that there are no constructions clogging the sewerage connections and drainage system in the locality in general.

This writ petition is disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)