

Court No. 24

25.03.2021

(Item No. 171)

(AB)

W.P.A 6475 of 2021

Dipali Pan

vs

The State of West Bengal & Ors.

Mr. Sibaji Kumar Das

Ms. Rupsa Sreemani

..... for the petitioner

Mr. Sudipto Panda

Ms. Munmun Tewary

..... for the State

The petitioner complains that the private respondents are not allowing the petitioner to make construction over her self-acquired private plot of land in accordance with the plan sanctioned by the Gram Panchayat.

The learned advocate appearing on behalf of the State respondents submits that two Title Suits are pending in between the petitioner and the private respondents.

The instruction which has been given by the Officer-in-charge of the concerned Police Station does not mention the plot numbers in respect of which the Suits are pending.

From the documents annexed to the writ petition, it appears that a Title Suit No. 161 of 2020 filed by the petitioner and two others against the private respondents is pending in the Court of the Civil Judge (Junior Division), Serampore, Hooghly in respect of the share of plot number 142 and a further

Title Suit being No. 200 of 2020 filed by the private respondents against the petitioner and others is pending in respect of the plot numbers 669 and 671.

The petitioner has annexed documents to show that plan in her favour has been sanctioned by the Gram Panchayat in respect of the plot No. 670/898.

None appears on behalf of the private respondents despite service. Affidavit of service filed in Court is taken on record.

The instructions received by the learned advocate of the State respondents from the concerned Police Station speaks about two Title Suits which are no way connected with the plot in question, where the petitioner intends to construct her building in accordance with the plan sanctioned by the Jangipara Panchayat Samity.

In view of the above the instant writ petition is disposed of with the observation that it will be open for the petitioner to make construction strictly in accordance with the plan sanctioned in her favour by the Panchayat Samity.

The writ petition stands 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.)