

Court No. 24

13.04.2021

(Item No. 56)

(AB)

W.P.A 5101 of 2020

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I.A. No. CAN 1 of 2020

(old No. CAN 4873 of 2020)

(via video conference)

Sudeb Kumar Singha

vs

The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal)

..... for the petitioner

Mr. Sanjib Das

..... for the State

The report prepared by the District Magistrate,
Bankura is taken on record.

In the report it has been mentioned that on verification of the facts submitted by the Block Development Officer, Joypur along with other relevant documents it transpires that the gas godown has been constructed by the respondent No. 8 i.e. Rinku Pal after getting a 'No Objection Certificate' from the respondent No. 6 i.e. the Pradhan, Moynapur Gram Panchayet and also the Hindustan Petroleum Corporation Ltd.

In the report it has been further mentioned that the petitioner did not lodge any complaint regarding existence of High Tension Electric Line over the said plot of land.

The petitioner submits that the construction is being made only on the basis of a 'No Objection Certificate' issued by the Panchayat. It has further

been submitted that no plan has been sanctioned by the Panchayet for construction of the gas godown.

Though the petitioner submits that objection was filed before the Pradhan of the Gram Panchayat with regard to construction of the gas godown in a congested residential area but there is no proof of service of the said objection upon the Pradhan.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioner to make appropriate application before the Moynapur Gram Panchayat highlighting his grievances.

In the event, such a representation is made, the same shall be considered by the appropriate respondent strictly in accordance with law at the earliest.

The writ petition along with the CAN 1 of 2020 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.)