

4.8.2021
Court No. 19
Item no.8
sn

WPA No. 5125 of 2020

MUNSHI HABIBUR RAHAMAN & ORS. VS.
THE STATE OF WEST BENGAL & ORS.
(via video conference)

Mr. Debasis Sur
Mr. Hare Krishna Halder
...for the petitioners
Ms. Sipra Majumder
Mr. Khairul Alam
..for the State

None appears on behalf of the Pradhan and the respondent nos. 6 to 8. Let the affidavit of service be taken on record.

It is alleged that the respondent nos. 6 to 8 have been raising unauthorized construction on L.R. Plot no. 212 under Mouza Chak Madan, Khatian No.63, J.L. No.21, P.S. Arambagh, District Hooghly, without any permission from the panchayat authorities.

The learned advocate for the State respondents is represented.

A report has been filed by the state respondents wherein it has been stated that there is a long pending dispute between the parties in respect of their title over the land in question. The parties had amicably settled and divided portions of the particular land but, thereafter, disputes and differences arose between the parties with regard to

enjoyment on the land. The panchayat authorities are not to decide the question of title and/or encroachment on the petitioner's land.

The panchayat authorities, however, shall enquire into the matter. If there is any unauthorized or illegal construction in the absence of any permission from the authorities by the respondent nos. 6 to 8, steps shall be taken in accordance with law. An inspection shall be made in presence of the petitioners and the respondent nos. 6 to 8. The inspection report shall be supplied to each of the parties. Thereafter, the competent authority of the Batanal Gram Panchayat shall act and proceed in accordance with law on the basis of what transpires in the inspection.

The entire exercise shall be completed within a period of 12 weeks from the date of communication of this order.

This writ petition is thus 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.)