

25.08.2021
Sl. No.5
sn

W.P.A. No. 6085 of 2019

**Sipra Mondal & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sourav Sen
Ms. Sayani Bhattacharya ...for the Petitioners

Mr. Debjit Mukherjee
Ms. Rupsha Chakraborty ...for the State.

Let the affidavit of service be taken on record. The mentioning notice is also be taken on record.

Learned advocate, who had instructions to appear on behalf of the respondent nos. 4 to 6 have been informed by e-mail that the matter will be taken up before this Court for urgent hearing. The matter has been running in the list for the last three days. None appears on behalf of the respondent nos. 4 to 6. None appears on behalf of the Pradhan of Andharmanik Gram Panchayat.

The matter is taken up in the absence of the respondent nos. 4 to 6 as no mandatory directions are being passed affecting their rights.

The allegations are with regard to unauthorised construction by the respondent nos. 4 to 6 over a Doba situated at Dag No.3117, Mouza Andharmanik, J.L. No. 153, Police Station Bishnupur, District South 24 Parganas.

The learned advocate for the petitioners submits that the respondent nos. 4 to 6 without any conversion of the land have constructed thereupon, illegally. Several complaints have been filed before the competent authority of the concerned Gram Panchayat but no steps have been taken as yet.

Under such circumstances, this writ petition is disposed of with a direction upon the competent authority of the Andharmanik Gram Panchayat to act and proceed in accordance with law on the basis of the complaint filed by the petitioners being Annexure P7 to the writ petition. An inspection shall be made in the presence of the petitioners and the respondent nos. 4 to 6. The report of inspection shall be supplied to the respective parties. A hearing shall be given and a reasoned order shall be passed and communicated to all concerned. The competent authority under the law, shall reach the proceeding to its logical conclusion in accordance with law.

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

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

All parties are act on the basis of the server copy of this order.

(Shampa Sarkar, J.)