

S/L 20
09.11.2021
Court. No. 19
GB

WPA 10495 of 2021

Manoj Mandal & Anr.
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Moniruzzaman,
Mr. Debasish Saha,
Ms. Dipika Banu,
Ms. Namrata Chatterjee,
Mr. Souvik Dian.

...for the Petitioners.

Mr. Rameshwar Sinha,
Mrs. Salma Sultana Shah,
Ms. Jahanara Begum.

...for the Pradhan.

Mr. Ansar Mondal,
Mr. Sougata Mitra.

...for the State.

The Block Development Officer, Gosaba Development Block has filed a report dated November 8, 2021, from which it appears that the allegation of the petitioner that a road is being constructed by the Radhanagar Taranagar Gram Panchayat on the premises of the petitioner is not correct. That no such road has been constructed or is being constructed by either the State authorities or the Gram Panchayat. That the road does not have any nexus with any developmental scheme of the concerned Gram Panchayat.

Mr. Sinha, learned advocate appearing on behalf of the Pradhan and the Gram Panchayat submits that the allegation is completely false. That the concerned Gram

Panchayat has not constructed any road under any scheme on the land of the petitioner.

As neither the State respondents nor the panchayat authority are claiming any right over the alleged road and have denied that any such road is being constructed by the said authorities, nothing survives to be decided in the writ petition. If there is any illegal encroachment on the land of the petitioner by way of construction of a road, the petitioner is at liberty to deal with the same in accordance with law, without the involvement of the panchayat and state authorities.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)