

W.P.A. 10783 of 2021

(Through Video Conference)

**SWAPNA DHARA
VS.
THE STATE OF WEST BENGAL & ORS.**

**Mr. Mahammad Mahmud
...for the petitioner
Mr. Ansar Mondal
Mr. Sougata Mitra
..for the State**

Let the affidavit of service be taken on record.

The petitioner, who is a 66 years old lady, has alleged that the Pradhan of the Polba-Dadpur Development Block at the instigation of the respondent no.10 has broken down the boundary wall of the petitioner's residence while constructing a drain. Complaints have been lodged with various authorities under the district administration, including the police authorities.

The learned Advocate for the petitioner submits that the Panchayat authorities with mala fide intention have deprived the petitioner of her enjoyment, right and possession over the property in question.

The learned Advocate for the State respondents submits that the Sub-Divisional Officer, Chinsurah Sub-Division, District Hooghly has already instructed the Block Development Officer, Polba-Dadpur Development Block to

enquire into the allegations of encroachment and construction of a drain. He further submits that the police authorities had already registered an F.I.R. An investigation was done and NCR 549/2021 and 587/2021 have been submitted under Sections 107/116(3) of the Code of Criminal Procedure. It also appears from the police report that the concerned Block Development Officer has informed that no 100 days work under MGNREGA scheme, was going on in the locality.

The police report is taken on record.

Under such circumstances, this writ petition is disposed of with a direction upon the Block Development Officer, Polba-Dadpur Development Block, the respondent no. 7 herein, to look into the allegations made by the petitioner in the representation dated June 17, 2021 which was received in the office of the concerned Block Development Officer on June 18, 2021. The Block Development Officer, Polba-Dadpur Development Block shall consider the grievances of the petitioner and dispose of the said representation upon hearing the petitioner and the respondent no.10. The Block Development Officer, Polba-Dadpur Development Block shall consider the matter on the basis of the documents to be submitted by the respective parties, pass a reasoned order and communicate the same to the parties. However, this order is not a direction upon the respondent no. 7 to decide any

private dispute between the petitioner and the respondent no.10.

The entire exercise should be concluded within a period of 10 weeks from date.

This writ petition is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar, J.)