

WPA 9942 of 2019

**Abu Taher Molla
Vs.
The State of West Bengal & Ors.**

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Mr. Mukteswar Maity
... For the Petitioner

Mr. Sukumar Mondal
... For the Private Respondents

Affidavit of service filed in Court be kept with the record.

The petitioner alleges that illegal and unauthorized construction is being made by the private respondents in Mouza- Joypur, J.L No. 55, Dag No. 691.

The petitioner by a representation dated 26th April, 2019 objected to the aforesaid illegal and unauthorized construction.

The petitioner complains that till date steps have not been taken by the concerned authority to consider his objection.

Learned advocate representing the private respondents disputes the contention of the petitioner.

Be that as it may, as it appears that the petitioner has already raised his grievance by way of a representation before the Pradhan, Nainan Gram Panchayat, no useful purpose will be served by keeping this writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no. 6 being the Pradhan of the Gram Panchayat to consider the objection that was made by the petitioner, strictly in accordance with law, within a period of eight weeks from the date of communication a copy of this order.

The said respondent shall pass a reasoned order after giving an opportunity of hearing to the petitioner and all other necessary parties and communicate the same to all the parties immediately thereafter.

It is made clear that this Court has not gone into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation made by the petitioner.

The petitioner is directed to forward a copy of the representation made by him at the time of communication of a copy of this order.

WPA 9942 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)