

Sl.no.15
8.12..2021.
Court. No. 19
sn

WPA 14218 of 2021

Jamal Molla @ Jamaluddin Molla
Vs.
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Mritunjoy Chatterjee
Md. Golam Nure Imrohi ... for the Petitioner

Mr. Manas Kundu
Mr. Debabrata Mondal ..for the State

None appears either on behalf of the panchayat authorities or the respondent nos. 8&9. Let the affidavit of service be taken on record. From the affidavit of service, it appears that the postal authorities informed the petitioner via e-mail that the postal articles sent to the respondent nos. 8&9 and to the Pradhan had been delivered on September 20, 2021. Thus, the Court does not find it necessary to allow further opportunity to the said respondents to appear before this Court.

The petitioner seeks implementation of the order of the gram panchayat as communicated by the Pradhan of Debipur Gram Panchayat. The petitioner has submitted that the order has been passed pursuant to the directions of this Court requiring the gram panchayat to look into the complaint of the petitioner against the alleged illegal construction made

by the respondents Nos. 8 and 9. According to the petitioner, the said order has not yet been complied with.

It is submitted that the provisions of Section 23 sub-section 5 of the West Bengal Panchayat Act, 1973 have not been complied with.

As the panchayat authorities are not before this Court, this Court is not in a position to ascertain whether the order has been implemented or not. The gram panchayat authorities, although served with a copy of the writ petition, are not before the Court to assist this Court.

Under such circumstances, this writ petition is disposed of with a direction upon the gram panchayat authorities as also the authorities prescribed under the statute to complete the proceeding as per direction of the learned Co-ordinate Bench of this Court dated March 5, 2021 in WP 852(W) of 2019 within a period of three months from the date of communication of this order and reach the same to its logical conclusion, if not already done. A communication must be sent to the petitioner by the appropriate authority in this regard.

The writ petition is 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.)