

Ct. 05
Item No.08
22.12.2021
(suvendu)

WPA 19489 of 2021

[Via Video Conference]

Mst. Saleha Khatun
Vs.
The State of West Bengal & Ors.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.....for the petitioner

Mr. Himadri Sekhar Chakraborty
Mr. Susanta Saha
.....for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

The grievance of the writ petitioner relates to
a construction undertaken by the private respondent
nos. 7, 8 and 9 in violation of Section 4C of the West
Bengal Land Reforms Act, 1955 and Section 23(3) of
the West Bengal Panchayat Act, 1973 as amended.

The case made out in the writ petition is that
the private respondents are constructing on a land
without necessary Building Plan or without first
converting the land from agricultural to residential.
Counsel submits that despite a representation made
to various authorities including the Sub-Divisional
Officer, Pradhan and the Police, the representation

dated 25th November, 2021 has not been considered as yet and that the construction is being carried on by the private respondents.

Learned counsel appearing for the State hands up a Report of the Officer-in-Charge of the concerned Police Station dated 14th December, 2021 which records that the construction work has stopped.

Upon hearing learned counsel, this Court is of the view that WPA 19489 of 2021 can be disposed of with a direction on the Sub-Divisional Officer, Sadar, Hooghly to dispose of the representation dated 25th November, 2021 upon hearing all concerned parties and shall pass a reasoned order within a period of five weeks from the date of communication of this order.

Needless to say, the Sub-Divisional Officer shall consider all the relevant provisions of law before passing the reasoned decision.

WPA 19489 of 2021 is disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)

