

20.01.2021
S/L No. 45
Court No.24
s.biswas

WPA 21004 of 2019

Suleman Ansary & Ors.
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Madhusudan Mandal

... ... for the petitioners

Mr. Himadri Shekar Chakraborty

Mr. S. T. Mina

... ... for the State

The petitioners complain that the Panchayat Samity is taking steps for construction of an auto stand in front of their residential plot of land. If the auto stand is permitted to be constructed then the ingress and egress of the petitioners to their plot of land will be affected.

The petitioners have raised an objection by filing a representation on 2nd November, 2019 before the Sabhapati of Para Panchayat Samity.

The petitioners complain that their representation has not been considered by the authority till date.

None appears on behalf of the Para Panchayat Samity despite service.

As it appears that the objection of the petitioners is pending consideration at the end of the Panchayat Samity, no useful purpose will be served by keeping the writ petition pending.

The writ petition being WPA 21004 of 2019 is disposed of by directing the respondent no.4 being the Sabhapati of the Para Panchayat Samity to take steps for consideration of the objection filed by the petitioners on 2nd November, 2019, strictly in accordance with law, after giving an

opportunity of hearing to the petitioners and all other necessary parties within a period of 12 weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

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

The petitioners are directed to forward a copy of their objection dated 2nd November, 2019 to the Sabhapati of the Para Panchayat Samity at the time of communication of this order.

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

(Amrita Sinha, J.)