

WPA 22025 of 2019

**Sanjay Bhattacharjee
Vs.
The State of West Bengal & Ors.**

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Mr. Debdutta Basu
Mr. Sudip Sarkar
... For the Petitioner

Mrs. Anwari Quaraishi
Mrs. Zainab Tahir
... For the State Respondents

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

None appears on behalf of the Panchayet and the private respondent, despite service.

The petitioner alleges that illegal and unauthorized extension work is being conducted by the private respondent no. 7 without leaving mandatory side and open spaces.

The petitioner made representation objecting to the alleged illegal construction before the Pradhan on 29th October, 2018 followed by reminder dated 29th May, 2019.

As no step was taken by the Pradhan, the petitioner was compelled to approach the Court of the learned Executive Magistrate, Barrackpore by filing a Miscellaneous Petition being MP 1791 of 2019.

The police report was called for, wherein it was mentioned that upon enquiry it was revealed that the private respondent was illegally trying to make construction without leaving the side space.

The petitioner filed an application under the Right to Information Act, 2005 to enquire as to whether any plan was sanctioned in favour of the

private respondent for carrying out the extension work. In reply to the query of the petitioner, he has been intimated by the communication dated 22nd August, 2019 that the Jetia Gram Panchayet had not sanctioned any plan for extension work in favour of the private respondent.

The Pradhan of the Gram Panchayat was again intimated by letter dated 30th August, 2019 for taking steps regarding illegal and unauthorized extension work that was carried on by the private respondent.

The petitioner complains that the same has not been acted upon by the Pradhan.

As it appears that there is specific information from the Panchayet that no sanction plan for extension work has been issued in favour of the private respondent, it is incumbent upon the Panchayat to take appropriate steps against the person(s) who are making illegal and unauthorized construction in the premises in question.

In view of the above, the instant writ petition is disposed of by directing the respondent nos. 5 and 6 to take prompt necessary steps in accordance with law against the illegal extension work that is being carried on by the private respondent. Such step shall be taken within a period of eight weeks from the date of communication of a copy of this order.

WPA 22025 of 2019 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.)

