

Item No.12

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

05.03.2021
Ct-24

W.P.A.22547 of 2019
Syed Md. Akram Ali
v
The State of West Bengal & Ors.

Mr. Aswini Kumar Bera
... for the petitioner.

Mr. Ziaul Islam
... for the State.

Mr. Santimay Bhattacharya
Mr. Ziaul Haque
... for the respondent no. 2.

The petitioner alleges that the private respondents have made unauthorized construction in the premises in question. The petitioner relies upon a communication dated April 27, 2018 by the Executive Engineer, Duan-I Gram Panchayat, Debra Block, Paschim Medinipur whereby it has been communicated that no permission will be given from the end of the Duan-I Gram Panchayat to the private respondents for construction over Plot No. 109, Khatian No. 436, J. L. No. 412, Mouza-Islampur.

The learned advocate appearing on behalf of the Paschim Medinipur Zilla Parishad submits, upon instruction, that a house building permission was given

by the Duan-I Gram Panchayat to Syed Md. Meheraj Ali, the private respondent no. 9 herein as per the order of the District Magistrate, Paschim Medinipur Vide Memo No. 358-DM dated August 9, 2019.

From the aforesaid submission it is clear that the private respondents have made the construction in terms of the permission granted in their favour.

The allegation of the petitioners regarding unauthorized construction by the private respondents remains unsubstantiated.

The writ petition fails and is hereby dismissed.

The instruction given by the Zilla Parishad is retained with the records.

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(**Amrita Sinha, J.**)