

23.11.2022  
Sl. No.81(ML)  
srm

**W.P.A. No. 540 of 2019**  
**Satya Pada Pramanik**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Anil Kumar Chattopadhyay  
....for the Petitioner.

None appears on behalf of the respondents.

It is contended that the Executive Officer, Bhagawanpur-I Panchayat Samity, District-Purba Medinipur did not take any steps on the basis of the communication dated July 3, 2017 made by the District Nodal Officer, SSK-MSK Cell, Purba Medinipur Zilla Parishad.

The contention of the petitioner is that the District Nodal Officer had permitted a construction of a building for an SSK without any sanction and by covering a portion of a canal. According to the petitioner, the obstruction of the canal had caused disruption of the regular supply of water to the locality. The cultivation of the persons in the locality including the petitioner, suffered.

The writ petition is disposed of with a direction upon the District Magistrate, Purba Medinipur to treat the writ petition as a representation and dispose of the same in

accordance with law, upon hearing the petitioner, an authorized representative of Bhagawanpur-I Panchayat Samity and the school authority.

Needless to mention that an inspection shall be made in the presence of the petitioner and a hearing shall also be given. In case the authority has already taken steps in this regard, the final decision which had been taken shall be communicated to the petitioner forthwith.

A reasoned order shall be passed and communicated.

If it is found that the allegation is correct and the construction was not in accordance with law, the matter should be referred to the appropriate authority empowered by law to deal with such illegal construction, for further steps.

The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

The issue of title, possession, etc. shall not be gone into.

This Court has not gone into the merits of the claim of the petitioner.

The petitioner is directed to serve a copy of the writ petition along with a server copy of this order upon the District Magistrate, Purba Medinipur.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**