

**FMA 236 of 2022
With
CAN 1 of 2020 (Old No. CAN 2621 of 2020)**

**Subhendu Dutta
-vs-
State of West Bengal & Ors.**

Mr. Bharat Chandra Simai

... for the appellant

Mr. Manas Kundu
Md. Mansoor Alam

... for the State-respondent

Mr. Piush Chaturvedi
Mr. Arjun Kumar Samanta

... for the respondent no.3

Mr. Subhasish Pachal

... for the Added respondent

Party/Parties is/are represented in the order of their name/names as printed above in the cause title.

Mr. Chaturvedi, Learned Counsel appearing for the respondent no.3/the *Prodhan*, submits that in terms of the order dated March 18, 2021 passed by this Court in CAN 2621 of 2020 arising out of MAT 382 of 2020, the *Prodhan*, Daspur 1, Gram Panchayat, passed an order dated April 6, 2021 by observing that the appellant herein cannot get any relief for approval of his building plan in Plot No.833, Mouza-Shyamsundarpur, P.S.-Daspur, Dist.-Paschim Medinipur.

Such decision of the *Prodhan* of the concerned Gram Panchayat with regard to the approval of the building plan of the appellant gives rise to a fresh cause of action. Therefore no useful purpose will be served in keeping the

instant appeal pending before this Court.

Accordingly, **FMA 236 of 2022** along with **CAN 1 of 2020 (Old No. CAN 2621 of 2020)** stand **disposed of**.

The appellant is left free to take appropriate steps, if and so advised, in accordance with law.

A copy of the order dated April 6, 2021 be retained with the record.

All parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Hiranmay Bhattacharyya,J.) (Subrata Talukdar,J.)