

Item No. 30

23.08.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 6777 of 2022

Manabendra Ojha
v.
The State of West Bengal & Ors.

Mr. Anup Dasgupta
... for the petitioner.

Mr. Himadri Sekhar Chakraborty
Ms. Susnita Saha
... for the State respondents.

Mr. Tappu Adhikari
... for the respondent no. 5.

The petitioner alleges that the respondent no. 5 is making unauthorized construction without any sanctioned plan and by encroaching portion of the petitioner's land.

The petitioner complains that the representation filed before the Gram Panchayat Pradhan has not been taken up for consideration till date.

The learned advocate representing the respondent no. 5 i.e. the person responsible for making construction relies upon the report filed by the Block Land & Land Reforms Officer, Nandigram-III, Purba Medinipur dated March 31, 2022 which was forwarded by the said BL & LRO to the learned Executive Magistrate in the Court of the Sub-Divisional Magistrate, Tamluk, Purba Medinipur

being an enquiry report in connection with MP Case No. 216 of 2022. The said report mentions that the construction was being made by keeping the requisite side spaces. A very small portion of the petitioner's land (ten inches) leads to the land of the respondent no. 5.

Learned advocate for the respondent no. 5 further submits that construction is being made in accordance with the plan sanctioned by the Executive Officer of the Purba Medinipur Zilla Parishad.

In view of the submissions made hereinabove, the instant writ petition is disposed of by directing the Pradhan of the Gram Panchayat to ensure that no construction is being made in violation of the plan that has been sanctioned in favour of the respondent no. 5.

With regard to the allegation of the petitioner regarding encroachment of the land, it will be open for the petitioner to approach the appropriate forum for redressal of his grievances in accordance with law, if so advised.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)