

ML 145
19.07.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 8565 of 2021

**Balaram Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Pankaj Halder,
Mr. Tapas Manna.
...For the Petitioner.**

**Mr. Himadri Sikhar Chakraborty,
Ms. Debdooti Dutta.
...For the State.**

**Sk. Rejaul Alam.
...For the Respondent No.8.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner prays for implementation of the order passed by the Pradhan, Gilarchhat Gram Panchayat communicated to the private respondent No. 9 on 27th January, 2021.

Learned advocate appearing for the petitioner submits that the respondent No. 9 at whose instance the unauthorized construction was made has expired during the pendency of the present writ petition.

The petitioner came to know of his death from the track report given by the postal authorities mentioning that the respondent No.9 has died.

The petitioner is unaware of the heirs and the legal representatives of the deceased respondent No.9.

Liberty has been sought for to withdraw the present writ petition and to file a fresh writ petition after obtaining the details of the heirs and legal representatives of the deceased Mahadev Mondal, respondent no. 9.

In view of the submission made hereinabove, the prayer of the petitioner for withdrawal of the writ petition stands allowed.

Leave is granted to the petitioner to file fresh application for implementation of the order passed by the Pradhan, Gilarchhat Gram Panchayat after obtaining the correct details of the heirs and legal representatives of the deceased Mahadev Mondal.

The writ petition stands dismissed as 'withdrawn'.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)