

19.07.2022

WPA(P) 302 of 2022

**Narayan Maity
Vs.
The State of West Bengal & Ors.**

Mr. Dilip Kumar Sinha

... .. for the petitioner

Mr. Lalit Mohan Mahata

Mr. Rudranil De

... .. for the State

Mr. Sk. Rejaul Alam

... .. for the respondent nos.8 & 9

The affidavit of service filed by the petitioner is taken on record.

Grievance of the petitioner is that the plot being Sabek plot no.403, L.R. plot no.63 under Mouza-Barasati in the district of Purba Medinipur is declared as cremation ground and the area of the same is 18 decimal.

It is further alleged that the respondent nos.8 and 9 are creating obstruction in the cremation activity and they are also obstructing any development in the said cremation ground.

It is pointed out by learned counsel for the petitioner that the mass representation dated 10.06.2022 has already been made to the Pradhan, Santipur 2 Gram Panchayat with a copy thereof to the respondent no.4, Block Development Officer, Sahid Matangini Block. It is submitted by learned counsel for the petitioner that the said representation be decided by the respondent no.4.

Though the learned counsel for the private respondents has denied the allegation but he has no

objection if the representation is considered and decided by the said authority.

We are also of the view that the allegation made by the petitioner requires factual enquiry. Hence, we dispose of the present petition by directing the respondent no.4 to duly consider the petitioner's grievance reflected in the representation dated 10.06.2022 after giving an opportunity of hearing to all the concerned parties and take an appropriate decision in accordance with law. Let this exercise be completed within a period of three months from the date of receipt of a copy of this order.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)