

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 15296 of 2022

Ali Hafiz & Anr.
-versus
The State of West Bengal & Ors.

Mr. Joy Chakraborty
Mr. Sandip Dinda ...For the Petitioners

Mr. Sanjib Seth ...For the respondent No. 4

Mr. Jahar Lal De
Mr. Shamim Ul Bari ...For the State

Affidavit of service is taken on record.

None appears on behalf of the respondent no. 3.

The petitioners are aggrieved by the act of the
Prodhan, Maju Gram Panchayat by revoking the
permission granted in her favour for making
construction on Dag numbers 154 and 155 of
Marghurali Mouza.

Petitioners submit that the order of revocation of
permission was issued without granting any opportunity
of hearing to the petitioner.

The petitioners have annexed the permission
issued in her favour in the meeting held by the
panchayat on 8th February, 2022 which is valid till 7th
August, 2022. The same has been revoked by a
communication made to the petitioners on 14th June,
2022.

Prior to approaching the Court, the petitioners never made any representation before the prodhan of the gram panchayat.

In view of the above, the instant writ petition is disposed of by granting opportunity to the petitioners to approach the authority who passed the order for revocation of the building sanction plan. If such a representation is made, the Prodhan, Maju Gram Panchayat being the respondent no. 3 shall consider and dispose of the representation to be made by the petitioners strictly in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties including the petitioners within a period of four weeks from the date of communication of a copy of this order and shall pass a reasoned order and communicate the same to all the necessary parties immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim to the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation to be filed by the petitioners.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)