

15.9.2022
Sl.No.32
sn

WPA 16643 of 2021

**Sougandha Mondal & Ors.
Vs.
The State of West Bengal & Ors.**

**Mr. Tanmoy Basu
Mr. Debdip Mondal
..for the petitioners
Mr. Monoj Malhotra
Mr. Suman Dey ..for the State

Mr. Sandip Das ..for the respdt.10**

The petitioners allege illegal construction upto the third floor, by the respondent nos. 10 and 11.

The respondent no.10 has filed documents to show that the permission was prayed for on November 10, 2010 and such permission was granted by the panchayat authorities. A copy of the plan has also been filed before this Court.

The panchayat authorities have filed a report, from which it appears that a single storeyed building has been constructed by the petitioners in terms of a sanction plan. Such report has been filed through the learned advocate for the State respondents. The report was forwarded to the concerned Block Development Officer by the Pradhan of the Sagar Panchayat Samity.

Under such circumstances, the allegation of the petitioner against the respondent nos.10 and 11, of raising a construction without any permission is not substantiated. However, the dispute is whether

the construction was made during the validity of the plan or not. Such dispute, cannot be decided by this Court.

The petitioners are at liberty to approach the authorities, in accordance with law.

If such representation is filed, the same shall be disposed of upon hearing all the parties within a period of twelve weeks from the date of receipt of the representation of the petitioners.

As no affidavit in opposition has been called for, the allegations against the respondents are deemed to be denied.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)