

22.09.2022
Court No. 19
Item no.21
CP

W.P.A. No. 17634 of 2021

Rinku Chowdhury

Vs.

The State of West Bengal & Ors.

Mr. Anil Kumar Chattopadhyay

...for the petitioner.

Mr. Partha Pratim Ray

Mr. Ayan Banerjee

...for the State.

Mr. Prasenjit Burman

Ms. Sumitra Das

...for the respondent no. 6.

Despite service, none appears on behalf of the panchayat authorities.

The petitioner has alleged that the respondent no. 6 has raised certain construction on Dag No. 924 of Mouza – Tentulkuli. According to the petitioner, the land belongs to him. Allegations of encroachment and forceful occupation have been made. The specific grievance of the petitioner is that the respondent no. 6 does not have any permission to construct.

Learned advocate for the respondent no. 6, has submitted a copy of the sanction plan duly approved by the pradhan, Salap Gram Panchayat dated September 15, 2021. It is submitted that after the sanction was granted by the concerned authority, the construction had commenced.

Under such circumstances, the allegations of the petitioner that the respondent no. 6 does not have any permission from the panchayat authorities, is not substantiated. The writ petition is disposed of without any orders.

If in future, the petitioner finds that there has been violation of the building rules by the respondent no. 6, the petitioner will be at liberty to approach the appropriate authority, strictly in accordance with law and with specifications, without making stray and omnibus allegations.

The copy of the plan is kept on record.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)