

S/L 42
19.09.2022
Court. No. 19
GB

W.P.A. 20117 of 2021

Smt. Subhra Bhattacharya
VS
The State of West Bengal & Ors.

Mr. Sukanta Ghosh.

...for the Petitioner.

*Mr. Rajarshi Basu,
Mr. Abdus Salam.*

...for the State.

The petitioner along with some other villagers approached the Pradhan, Rajyadharpur Gram Panchayat for development and construction of a road in the Bibirber, Koiribagan area. It is the contention of the petitioner that the road is waterlogged most of the time and the drainage facility is also inadequate. As a result of such water logging, dirty water from the drain enters into the premises of the villagers. It is submitted that the situation is unhygienic and the area is a breeding ground for different disease.

According to the Court, the inhabitants of the locality have a right to live in a hygienic condition and ask for development of the area. It is also the duty of the local body to ensure that the people live in a healthy and habitable condition.

Under such circumstances, the writ petition is disposed of with a direction upon the Pradhan, Rajyadharpur Gram Panchayat to dispose of the representation of the petitioner dated November 30, 2018 in accordance with law. While doing so, one representative and/or a learned advocate for the villagers shall be represented before the authority.

The local panchayat member, shall also be heard and a decision shall be taken in accordance with law. The authority shall look into the allegation of the petitioner. A joint inspection shall be held. If it is found after holding inspection that the road needs to be constructed and the area requires some developmental work, necessary steps shall be taken in accordance with law.

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.)