

19.9.2022
Sl.No.44
sn

WPA 20227 of 2021

**Prabir Sadhu
Vs.
The State of West Bengal & Ors.**

**Mr. S.S. Mondal
Mr. T.P. Acharyya
..for the petitioner**

Despite service, none appears on behalf on behalf of the respondent nos. 3 to 6. Let the affidavit of service be taken on record. As this Court is not inclined to pass any mandatory directions, but is relegating the matter back to the authorities, this writ petition is disposed of in the absence of the said respondents.

The petitioner alleges that the respondent nos. 4 to 6 have encroached into a public road being dag no. 1001. Due to such alleged encroachment, the villagers are not being able to access the public road. It is alleged that the villagers are also being deprived of their right of ingress and egress. The villagers filed a mass petition before the Pradhan of Hetampur Gram Panchayat, District Birbhum. It is stated that in spite of receiving the complaint, no steps have been taken by the authorities.

The petitioner and other villagers are granted liberty to approach the Sub Divisional Officer, Suri, District Birbhum with their grievances. If such representation is filed, the same shall be disposed of

in accordance with law upon granting an opportunity of hearing to the petitioner, Pradhan of Hetampur Gram Panchayat as also the respondent nos. 4 to 6.

If it appears that there is a boundary dispute, then attempts shall be made for an inspection and measurement in presence of all the parties with the help of the concerned Block Land & Land Reforms Officer. The public road must be demarcated.

If encroachment on a public road is detected and the allegation of the petitioner is found to be correct, then steps shall be taken in accordance with law. If the allegation of the petitioner is found to be incorrect, then a reasoned order shall be passed and communicated to the petitioner.

The entire exercise shall be completed within a period of three months from the date of receipt of the complaint of the petitioner.

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.)