

S/L 48
31.10.2022
Court. No. 19
GB

W.P.A. 20594 of 2021

Ananda Marga Pracaraka Samgha
VS
The State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh.

...for the Petitioner.

*Mr. Naba Kumar Das,
Mr. Subhabrata Das.*

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner prays for a direction upon the Block Development Officer, Joypur, District – Purulia to grant permission for construction of a boundary wall and kitchen on a land, in respect of which proceedings are pending. It appears that the land had vested in the State of West Bengal under the provisions of the West Bengal Land Reforms Act. The petitioner filed an application under Section 14 Q(3) of the said Act which is still pending before the Secretary, Land and Land Reforms Department, Government of West Bengal.

The petitioner approached the Block Development Officer for such permission to construct a boundary wall and kitchen. The Block Development Officer was of the opinion that unless the application under Section 14 Q(3) of the said Act was disposed of by the appropriate authority, no permission could be granted.

In any event, the Block Development Officer is not the permission granting authority for any kind of construction

over a land which falls within the jurisdiction of the Gram Panchayat.

Under such circumstances, this Court does not find any reason to entertain the writ petition. The petitioner may approach the appropriate authority before whom his application is pending for speedy disposal so that, in the event, the petitioner is allowed to retain the said land in question, necessary steps may be taken by the petitioner for protection of the land and also for subsequent construction, strictly 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.)