

20.09.2022
Sl. No.58(DL)
srm

W.P.A. No. 21302 of 2021
Chalauddin Dhali @ Salauddin & Anr.
Vs.
State of West Bengal & Ors.

Mr. Ramashis Mukherjee,
Mr. Rameshwar Sinha

....for the Petitioners.

The writ petition is not maintainable in his present form. It does not appear from the documents annexed to the writ petition that any complaint had been lodged before the appropriate permission granting authority with regard to the alleged construction of the respondent Nos.8 to 10. The petitioners pray for a direction upon the respondent authorities to stop the construction. The petitioners claim title and allege encroachment by the respondent Nos. 8 to 10.

The photographs attached to the writ petition are not relevant for the purpose of determination of the allegation of unauthorised construction. In the absence of specific pleadings and in the absence of any particular complaint before the panchayat authorities, the Writ Court refrains from interfering. As the petitioners have not approached this Court with specific allegations about the

construction, the writ petition is disposed of without any orders.

The petitioners are at liberty to approach the permission granting authority in accordance with law, with details of allegation of unauthorised construction. If such complaint is filed, the same shall be disposed of by the authorities, in accordance with law, with notice to all including the private respondents.

The question of title, encroachment, possession, disturbance, etc. shall not be gone into.

The writ petition is, thus, disposed of.

here shall be no order as to costs.

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

(Shampa Sarkar, J.)