

List dt.6.6.22
Item No. 151
14.06.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 19789 of 2019

**Shyam Sunder Ghosh
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Sundar Das,
Mr. Anindya Bose,
Mr. Mansaram Das,
Mr. A. S. Chatterjee,
Mr. Diptendu Mondal,
Mr. Nikhil Kumar Gupta.
...For the Petitioner.**

**Mr. Himadri Sikhar Chakraborty,
Mr. Sahanaz Tareq Mina.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the private respondents in spite of service.

The petitioner alleges illegal and unauthorized construction by the private respondents over the Debottor property of which the petitioner claims to be a Shebait.

The land over which the construction is alleged to be made is at Mouza-Muidara, J.L. No. 101, L.R. Dag Nos. 1033, 1032, Khatian No. 293 District- Bankura.

The petitioner has made an application under the Right to Information Act before the Kotulpur Gram Panchayat seeking information as to whether any plan was sanctioned by the Panchayat for making construction over the aforesaid plot of land.

No reply has been given to the query made by the petitioner.

It appears that prior to filing the present writ petition the petitioner never made any representation before the Gram Panchayat against such illegal and unauthorized construction.

Accordingly, this Court thinks it fit to grant leave to the petitioner to apply before the concerned authority highlighting his grievances.

In the event such a representation is made, the same shall be considered by the appropriate authority strictly in accordance with law.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)