

13.12.2022
Sl.No.19
Ct.19
sn

WPA 22115 of 2022

**Md. Najrul Islam Molla
Vs.
The State of West Bengal & Ors.**

**Mr. Aniruddha Sarkar
Mr. Rameswar Sinha
..for the petitioner**

**Mr. Jaharlal De
Mr. Rudranil De
..for the State**

The petitioner alleges that the respondent no.8 forcefully entered into the land of the petitioner situated at Dag no. 1102 of mouza Chandaneshwar within Chandaneshwar Gram Panchayat and started to raise a construction.

This Court is of the view that the issues with regard to encroachment, dispossession, title etc. are not to be decided by the panchayat authorities. Thus, no order can be passed in this writ petition.

The representation filed before the panchayat authorities does not indicate that the petitioner had complained before the panchayat authorities about the construction being either without permission or in violation of the rules.

Under such circumstances, the writ petition does not merit any consideration. The pleadings are inadequate and vague. However, the petitioner is granted liberty to approach the panchayat authorities

with specific allegations only with regard to the issue of unauthorised constructions. If such representation is filed, the same shall be disposed of in accordance with law upon hearing the petitioner and all other interested parties including the respondent no.8.

A reasoned order shall be passed and communicated to all. Thereafter, steps shall be taken in accordance with law.

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.)