

21-11-2022
Item No.44(ML)
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.23149 of 2022
Smt. Pratima Banerjee
-vs-
The State of West Bengal & Ors.

Mr. Swapan Kumar Nandi
Mr. Debjyoti Ghosh
Mr. S.N. Chattopadhyay ...for the petitioner

Affidavit of service filed is taken on record. Despite service, none appears for the respondents.

The Block Development Officer, Serampore-Uttarpara Block shall treat the writ petition as a representation of the petitioner and dispose of the same in accordance with law.

Case of the petitioner is that the petitioner was requested by the authorities of Nabagram Gram Panchayat to grant a no objection for demolition of her shop room for implementation of the “Karmatirtha”, scheme. The petitioner relies on a letter written by the Pradhan, Nabagram Gram Panchayat by which the authority had undertaken to reconstruct the shop room, after implementation of the programme. Further undertaking was also given indicating that the petitioner would be compensated for the loss of rent. The petitioner approached the authority for reconstruction of the shop room and for compensation after the project was over.

It also appears that the Nabagram Gram Panchayat intimated the learned advocate for the petitioner by a letter dated June 20, 2022 that the authority will not retract from

the earlier stand, but due to the pandemic situation, steps could not be taken. He requested the petitioner to cooperate for a little while.

The panchayat authorities are still hesitant to construct the shop room and to compensate the petitioner on account of loss of rent as promised in the letter dated February 20, 2018 which is Annexure P2 to the writ petition.

The Block Development Officer shall pass necessary order upon hearing the petitioner and also the authorised representative of the Pradhan of Nabagram Gram Panchayat. Necessary steps shall be taken in this regard as per law and if the undertaking of the Gram Panchayat which is annexed to this writ petition is found to be genuine.

As the situation has normalized, there can be no other reason to delay the matter.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

[Shampa Sarkar, J]

