

12.12.2022
sayandeep
Sl. No. 11
Ct. No. 05

WPA 26194 of 2022

Sikha Patra
-Versus-
The State of West Bengal & Ors.

Mr. S. Banerjee
Mr. Pampa Dey (Dhabal) for the petitioner

Mr. Wasim Ahmed
Mr. Tausif Ahmedfor the State

Mr. Sufi Masih Aftab
.....for the respondent Nos. 11 & 12

The limited prayer of the petitioner is that a certified copy of an order passed by the respondent No. 9 being the Executive Officer & Member Secretary, Gangasagar Bakkhali Development Authority, be made available to the petitioner.

The petitioner was informed of the order by a letter dated 16th November, 2022. The letter enclosed a copy of the order. The impugned portion which learned counsel for the petitioner submits to be prejudicial to the interest of the petitioner is for direction to the Sub-Divisional Magistrate, Kakdwip to take appropriate action with regard to the alleged illegality of the “*pattas*”.

The authorities are represented.

Learned counsel appearing for the respondents submits that the certified copy of the order will be made over to the petitioner within 48hrs. from today.

Section 74 of the West Bengal Town and Country (Planning and Development) Act, 1979 provides for appeal by a party aggrieved from a decision of the development authority. The aggrieved person should file the appeal within one month from the date of the decision to the jurisdictional District Judge.

The petitioner shall be at liberty of preferring an appeal under the provisions of the 1979 Act. To prevent any irrevocable change in circumstances, the respondents shall not take any steps in terms of the impugned order communicated to the petitioner on 16th November, 2022 until further orders are passed in the appeal.

WPA 26194 of 2022 is disposed of in terms of the above.

The time for preferring the appeal shall start from the date on which the petitioner receives the certified copy of the impugned order.

(Moushumi Bhattacharya, J.)