

2 5.2022
Court No. 19
Item No.2
sn

WPA 30358 of 2017

Adhir Pal

Vs.

State of West Bengal & ors.

Mr. Kartick Bhattacharjee

Mr. Subhas Chandra Dutta ..for the petitioner

Mr. Susanta Pal

Mr. Prabir Kr.Ray ..for the State

Mr. Samik Sarkar

..for the respdts.7&8

Pursuant to the order of this Court, Mr. Pal, learned advocate for the State respondents has filed a brief synopsis prepared by the Block Development Officer, Karimpur-I, Development Block, dated March 29, 2022. The same is taken on record. It appears from the said report that certain disputes had arisen over the land and alleged constructions by the respondent nos. 7&8. The allegation of unauthorized construction as also illegal encroachment had been raised by the petitioner, before the panchayat authority.

The concerned Block Development Officer has categorically stated that the respondent nos. 7 and 8 have been restrained from making any construction on government land. It has been clearly mentioned that approximately 1/3rd of the frontal portion of the area occupied by the petitioner has been kept vacant, which can be used for ingress and egress of the

petitioner to his purchased land. It has been further stated that there has been an existing hut, which is now used by the respondent nos. 7 and 8, but no concrete construction has been made. Some building materials are lying on the said land.

In view of the specific statements of the concerned Block Development Officer and the assurance given to the Court that the respondent nos. 7 and 8 have been restrained from making any construction on the government land even if the same was under Indira Awas Yojana Scheme, and in view of the specific statement of the said authority that there is a vacant land in front of the premises of the petitioner, which can be used for ingress and egress of the petitioner, no further orders need be passed. All parties should ensure that the directions of the concerned Block Development Officer, is followed.

As no affidavit in opposition has been called for, the allegations contained in the writ petition are deemed to have been denied by the respondents.

This writ petition is, thus, disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the basis of server copy of this order and/or the learned advocate's communication.

(Shampa Sarkar, J.)