

Sl. No.277
27.06.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 8900 of 2020

Nirmal Kumar Singha
Versus
The State of West Bengal & Ors.

Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh

... for the petitioner

Mr. Santanu Kumar Mitra
Mr. Sudip Sarkar

... for the State

None appears either on behalf of the Pradhan
Chapra Kapista Gram Panchayat or the private
respondent no.6.

The petitioner alleges that the private respondent
no.6 has made construction of a Jhupri and cow shed
by encroaching upon his private property.

It appears that there was a settlement made
between the parties at the instance of the Pradhan of
the Gram Panchayat in June, 2020.

The petitioner alleges that in spite of settlement
arrived at between the parties, the private respondent is
not taking any steps to abide by the terms and
conditions of settlement.

It appears that the private respondent did not
make any pucca construction which requires a sanction
from the Panchayat.

The petitioner alleges encroachment by the private respondent. The Prodhan is not the appropriate authority to take decision with regard to encroachment of private land by private parties. The private dispute ought to be settled before the appropriate Court of law.

In view of the above, the instant writ petition is disposed of granting liberty to the petitioner to approach the appropriate forum for redressal of his grievances, if so advised.

Writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)