

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

23
15.06.2022
Ct. No.2
b.das

**Laxmi Siddha
Vs.
The State of W.B. & Ors.**

WPA 658 of 2022

Mr. Anand Bhandari
Mr. U. Lama
Mr. P. Rai
Mr. M. Bhandari
...for the petitioner.
Mr. Bikramaditya Ghosh
Mr. Pretom Das
...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

None appears for the Dabgram-II Gram Panchayat and the private respondents despite service.

The petitioner claims to be recorded owner of a plot of land in R.S. Plot No.635, Mouja- Dabgram, J.L. No.2, District-Jalpaiguri and has been residing therein.

The petitioner complains that the private respondents whose land is situated to the adjoining east of the petitioner's house are raising unauthorized construction in the said land in violation of the Panchayat law.

The petitioner submitted a representation before the Pradhan, Dabgram-II Gram Panchayat in this regard on 7th February, 2022, which is yet to be disposed of.

The petitioner prays for a direction upon the concerned authority to consider his representation at the earliest.

Upon considering the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the Pradhan, Dabgram-II Gram Panchayat, the 3rd respondent herein, to consider and dispose of the representation submitted by the petitioner dated 7th February, 2022, after affording reasonable opportunity of hearing to the petitioner and the private respondents within one month from the date of communication of this order, in accordance with law.

In the event such violation is detected, the 3rd respondent should take appropriate legal step with regard to the same.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above observations and directions this writ petition being WPA 658 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)