

24.01.2023
Sl. No.5(DL)
srm

W.P.A. No. 169 of 2023
Tapan Adak
Versus
The State of West Bengal & Ors.

Sk. Toslim Ali

....for the Petitioner.

Mr. Raja Saha,
Mr. Ratul Das

...for the State-respondents.

Mr. Soumya Banerjee,
Ms. Sucheta Banerjee

...for the Respondent No.6.

The petitioner has challenged the letter of inspection issued by the Pradhan, Joargori Gram Panchayat, District-Howrah, dated December 29, 2022, which is annexure P-4 at page 19 to the writ petition.

According to the petitioner, the authority proceeded on the basis that this Court had directed the authorities to determine whether the construction of the petitioner was legal or not. On the contrary, the Court had directed inspection of the unauthorised construction on LR Dag No.200/700 of mouza Bar Bangalpur, allegedly raised by a private party.

Mr. Banerjee, learned Advocate appearing on behalf of the Joargori Gram Panchayat submits that the notice was not happily drafted. The gram panchayat intended the same to be a notice of inspection of the plot in question and the construction thereon. On the basis of the order passed by this Court dated October 7, 2021, such notice was issued. Such inspection has been completed. According to Mr. Banerjee, the letter may be ignored as the same was issued inadvertently and there were no allegations, as yet, against the petitioner.

Under such circumstances, nothing remains to be decided in the writ petition. The writ petition is disposed of without any orders.

However, this order shall not be constructed as a decision on the validity of the construction of the petitioner.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)