

27.02.2023
Sl. No.23(DL)
srm

W.P.A. No. 2525 of 2023

Hare Krishna Sardar

Versus

The State of West Bengal & Ors.

Mr. Sudarshan Ghosh

....for the Petitioner.

Mr. Lalit Mohan Mahata,

Mr. Prasanta Behari Mahata

...for the State-respondents.

The writ petition is not maintainable.

The petitioner has proceeded on the basis that the respondent No.6 had made an unauthorised construction within the jurisdiction of Mayahouri Gram Panchayat, District-South 24-Parganas.

From the record, it appears that the construction relates to an area within the Moydah Gram Panchayat on Plot Nos.2395 and 2399 of mouza Khayamara.

Under such circumstances, the writ petition is disposed of without any orders, but granting liberty to the petitioner to file an appropriate application before the appropriate gram panchayat in accordance with law, ventilating his grievances with regard to the alleged construction. If such representation is filed, the same shall

be disposed of upon hearing all the parties. A reasoned order shall be passed and communicated to the parties in respect of the alleged construction. On the basis of what transpires at the hearing and during inspection, the proceedings shall be reached to its logical conclusion in terms of the provisions of Section 23(5) of the West Bengal Panchayat Act, 1973.

This Court has not decided on the merits of the allegation of the petitioner.

The writ petition is, thus, disposed of.

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.)