

17.03.2023
Court No. 19
Item no.48
CP

W.P.A. No. 3758 of 2023

Namita Halder

Vs.

The State of West Bengal & Ors.

Mr. Pankaj Halder
Mr. Sanatan Panja
Mr. Tapas Manna

....for the petitioner.

Sk. Rejaul Alam

....for the respondent no. 7.

Mr. A. K. Singh

.....for the respondent nos. 9 to 12.

The grievance of the petitioner has been addressed by the gram panchayat. A prima facie decision has been arrived at and the matter has been forwarded to the Sub-Divisional Officer, Diamond Harbour with regard to the allegation of unauthorized construction.

Learned advocate for the respondent nos. 9 to 12 is present before the court and submits that the said respondents did not authorize any illegal construction.

The writ petition is disposed of with a direction upon the Sub-Divisional Officer, Diamond Harbour to conclude the proceedings on the basis of the documents forwarded by the Gilarchat Gram

Panchayat, upon granting opportunity of hearing to all the parties, namely the petitioner and the respondent nos. 9 to 12.

A reasoned order shall be passed and communicated to all in terms of Section 23(5) of the West Bengal Panchayat Act, 1973. Needless to mention, all consequential steps be taken if any illegal and unauthorized construction is finally detected.

This court has not gone into the merits of the claims of the parties.

The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)