

13.03.2023
Court No. 19
Item no.11
CP

W.P.A. No. 4581 of 2023

Ranjan Maity

Vs.

The State of West Bengal & Ors.

Mr. Partha Sarathi Mondal

....for the petitioner.

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

....for the State.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the respondent nos. 2 and 5.

As the court is not inclined to determine the issues involved, no useful purpose will be served by keeping the writ petition pending.

The representation which has been filed before the panchayat authorities by the petitioner, deals with the allegations of encroachment and dispossession. These are beyond the jurisdiction of the panchayat authorities. Thus, in the absence of proper pleadings and in the absence of appropriate objections before the panchayat authorities, no orders can be passed.

However, the petitioner is at liberty to approach the panchayat authorities with his grievances.

If such representation is received by the panchayat authorities, the same shall be disposed of in accordance with law upon granting adequate opportunity to the petitioner and the respondent no. 5 to make his submissions and to file supporting documents in support of his contentions.

A reasoned order shall be passed and communicated to the parties. Needless to mention, all consequential steps shall be taken if the allegation of the petitioner is found to be correct.

The court has not gone into the merits of the claims.

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.)