

04.04.2023

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WPA (P) 135 of 2023

**Niranjana Mahato & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sourav Mondal for the petitioners.

Mr. Jahar Lal De,
Mr. Rudranil De ... for the State.

1. The writ petitioners by way of filing this public interest litigation seek a direction upon the respondents to forebear from putting up the illegal and / or unauthorised construction on an unmetalled Panchayat road. In this regard, the petitioners have given representation on 29th August, 2022 to the Block Land and Land Reforms Officer, Manbazar – I, Purulia, West Bengal.

2. It appears that the representation has not been considered till date. The dispute raised by the petitioners cannot be resolved in a writ petition by means of affidavits as facts have to be gone into. Therefore, we direct the 4th respondent, namely, the Block Land and Land Reforms Officer, Manbazar – I to consider the representation, direct one of his officers to inspect the property and measure the property in the presence of the writ petitioners and

then pass orders on merits and in accordance with law.

3. This direction be carried out within a period of two weeks from the date of receipt of server copy of this order.

4. The petitioners are directed to forward a copy of the representation along with the copy of this order to enable the 4th respondent to comply with the above direction.

5. With the aforesaid directions, the public interest litigation is disposed of.

6. There shall be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)