

15.05.2023  
Sl. No.9(DL)  
srm

**W.P.A. No. 7739 of 2023**

**Avijit Nath**

**Versus**

**The State of West Bengal & Ors.**

Mr. Nirmalendu Bera,  
Mr. Abhijit Sarkar,  
Mr. Raja Biswas

....for the Petitioner.

Ms. Sipra Mazumdar,  
Mr. Bibek Jyoti Basu,  
Ms. Sangeeta Roy

...for the State-respondents.

None appears on behalf of the respondent Nos.7 to 9 as also the panchayat authorities.

The petitioner alleges unauthorised construction by the respondent Nos.7 to 9 on Plot No.2130 of mouza Belpukur.

The writ petition does not indicate whether the objection allegedly filed before the Belpukur Gram Panchayat, Nadia, ever reached the said gram panchayat.

Hence, the writ petition is disposed of granting liberty to the petitioner to approach the Belpukur Gram Panchayat, Nadia, indicating in details his allegations with regard to the alleged construction. If such objection is filed,

the same shall be disposed of in accordance with law upon hearing the petitioner, the respondent Nos.7 to 9 and also other interested parties. The gram panchayat shall act and proceed in accordance with the provisions of Section 23(5) of the West Bengal Panchayat, 1973.

This order shall not be construed as an opinion of this Court with regard to the correctness of the allegations made by the petitioner. The matter shall be decided independently.

The entire exercise shall be completed within a period of three months from the date of receipt of the petitioner's representation.

A copy of the writ petition along with a server copy of this order be served upon the Secretary, Belpukur Gram Panchayat, Nadia.

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.)**