

S/L 13
26.04.2023
Court No.19
sourav

WPA No. 7909 of 2023

**Md. Abdul Hakim Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Sayantan Adhya

...for the Petitioner.

*Mr. Sutapa Sanyal
Mr. Anand Farmania*

...for the State.

*Mr. Arif Ali
Mr. Sayantak Das
Mr. Sarban Bhattacharjee*

...for the Respondent nos. 11 to 14.

Perused the report filed by the Block Development Officer, Joynagar –I, South 24 Parganas.

The petitioner alleges that the panchayat authorities had encroached upon the land of the petitioner and raised some construction.

It appears that the ICDS centre has been constructed on a land belonging to the Irrigation Department. There is approximately a gap of 18 ft. between the petitioner's land and the ICDS centre. The allegation of encroachment of the petitioner's private land has been denied.

It also appears that another 12ft. wide panchayat road runs from the eastern side of the petitioner's land, which is being used by the petitioner for ingress and egress.

However, as a civil suit is already pending at the instance of the petitioner, if there is any further encroachment on the petitioner's land by any other party, the remedy of the petitioner will be in the civil suit.

The ICDS centre which has been reportedly constructed on a Government land shall not be disturbed. It also appears that there are some private encroachments on the main road. The authorities shall take steps to proceed against such encroachment on the road, strictly in accordance with law.

Accordingly, the writ petition is disposed of.

However, there shall be no order as to costs.

Report is taken on record.

Copy of this order be supplied to the learned advocate for the petitioner.

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

(Shampa Sarkar, J.)