

24.04.2023

Item No.9

Ct. No.1

PG/KS

W.P.A.(P) 178 of 2023

Shyampada Maity
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Sinha

Mr. Anit Kumar Das

.....For the Petitioner

Mr. Jahar Lal De

Mr. Rudranil De

.....For the State

1. By this writ petition the petitioner seeks for a direction upon the second respondent to take a decision in the panchayat body as to whether the boundary wall is constructed within the purview of the Panchayat Act, 1973 and the rules framed thereunder and in case it is not in accordance with the provisions of the Act, to take action for demolition of the unauthorized boundary wall. In this regard, representation has been submitted by a private club on 13th March, 2023.
2. On going through the affidavit filed in support of the writ petition, we find that a private dispute is now sought to be made as a public interest litigation. The representation is also not by the petitioner but by a private club.

3. Therefore, the relief sought for in this writ petition cannot be granted. The same is dismissed.
4. However, the aggrieved person is entitled to seek appropriate remedy in accordance with law.
5. There shall be no order as to costs.
6. 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.)