

10.05.2023
Sl. No.22(DL)
srm

W.P.A. No. 9771 of 2023
Pijush Kumar Ghosh & Ors.
Versus
The State of West Bengal & Ors.

Mr. Rajkrishna Mondal
....for the Petitioners.

Mr. Rajarshi Basu,
Mr. S.T. Mina
...for the State-respondents.

Despite service, none appears on behalf of the respondent No.6 as also the panchayat authorities. Affidavit-of-service is taken on record.

The petitioners allege that on a plot adjacent to the land of the petitioners being Dag Nos.659 of mouza Sitasole, the respondent No.6 had started constructing a poultry farm, without any permission and without conversion. The petitioners' land is situated at Plot No.660. According to the petitioners, both the lands have been classified as 'Jal'.

The petitioner Nos.1 and 2 have approached the Pradhan of Jara-II Gram Panchayat, Paschim Medinipur, by filing an objection. The same is annexure P3 at page 49 of the writ petition.

The averments of the petitioners made in the writ petition do not match with the contentions of the petitioners, in the representation. The Court is not inclined to interfere with the matter at this stage.

However, liberty is granted to the petitioners to file an objection before the Jara-II Gram Panchayat, Paschim Medinipur. If such objection is filed, the same shall be disposed of in accordance with law upon hearing the petitioners, the respondent No.6 and any person involved in the alleged construction of the poultry farm. The panchayat authorities shall inspect the site and upon hearing all the parties, necessary orders shall be passed in accordance with law.

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

The writ petition is, thus, disposed.

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.)