

Item No.24
15.05.2023
Court. No. 19
GB

WPA 11245 of 2023

Mrs. Rumpa Dutta & Anr.
Vs
The State of West Bengal & Ors.

Mr. Surendra Kumar Sharma,
Mr. Debaditya Das

...for the Petitioner.

Mr. Moloy Singh,
Mr. Bibekananda Tripathy

...for the State.

Mr. Tanmoy Chaudhury

...for the Respondent Nos.2 & 3.

Affidavit-of-service filed in Court today, be kept with the record.

The panchayat authorities had submitted a report before the Block Development Officer, Raina-I Development Block, inter alia, stating that the initial allegation of the petitioner that one Uday Kumar Shaw had raised an unauthorised construction on an agricultural land thereby blocking the petitioners' ingress and egress, was found to be incorrect. Further, the gram panchayat had also informed that no obstruction to the petitioners' access to their own land had been found.

The petitioners submit that the panchayat authorities ought to have constructed proper roads to enable all the petitioners easy access to their agricultural land situated at plot No.448 of mouza Shipta.

Mr. Chaudhury, learned advocate for the gram panchayat submits that there is already an existing road

leading to the the petitioners' land and the allegations are misconceived.

The writ petition is disposed of directing the concerned gram panchayat to cause an enquiry in the presence of the petitioners and owners of adjacent plots, so that the route which the petitioners may use as an access to their agricultural land, may be pointed out. The authority, however, shall not cause any harassment to the private land owners of the adjacent plots. The route shall be delineated by a sketch map, not drawn to scale, which shall be supplied to the petitioners. A reasoned order shall be passed and communicated. The issue to be decided would be whether the petitioners have an access to their land allegedly used for farming or not.

It is made clear that the said route shall not be exclusively used by the petitioners but by all the villagers.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)