

19.06.2023
Item No.9
PG/KS
Ct. No.1

W.P.A.(P) 252 of 2023
Rabindranath Khanrah & Ors.
VS
The State of West Bengal & Ors.

Mr. Saibal Acharya
Mr. Aninda Bose
Mr. Sourabh Sundar Shee
.....For the Petitioners
Mr. Biswabrata Basu Mallick
Mr. Biman Halder
.....For the State
Mr. Tanmoy Mukherje
Mr. Souvik Das
Mr. Rudranil Das
.....For the Respondent No.10
Ms. Mekhla Sinha
Ms. Malabika Roy Dey
.....For the respondent Nos. 4 & 5

1. This writ petition has been filed as a public interest litigation alleging that the private respondent has put up illegal construction. In this regard, the representation given through the advocate of the petitioners has been forwarded by the District Engineer, Howrah Zilla Parishad to the 9th respondent, Pradhan, Deulpur Gram Panchayat.
2. The learned advocate for the 10th respondent submits that he has a valid building plan and the allegation made by the petitioners is false. In any event, the District Engineer, Howrah Zilla Parishad having forwarded the

representation to the 9th respondent, Pradhan, Deulpur Gram Panchayat, the 9th respondent is directed to consider the representation in accordance with law.

3. Accordingly, we dispose of the writ petition with the direction to the 9th respondent, Pradhan, Deulpur Gram Panchayat to consider the representation after issuing notice to the petitioners and the 10th respondent and after hearing the parties and also examining the documents that the 10th respondent may produce and after conducting an inspection of the premises, a speaking order be passed on merits and in accordance with law.
4. Let this direction be complied within three weeks from the date of receipt of server copy of this order.
5. No 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)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)