

04.12.2023
Item No.67 & 78
Ct. No. 24
Aloke

**W.P.A. 15354 of 2023
WITH
W.P.A. 19910 of 2023**

**Ajad Ali Jamadar & Ors.
...
Vs.
The State of West Bengal & Ors.**

Mr. Mukteswar Maity
Mr. Sk. Aktar Hossain
... for the petitioners in WPA 15354 of
2023

Ms. Sima Adhdikari
Ms. Kakali Naskar
... for the State in WPA 15354 of 2023

Mr. Abdul Hamid Molla
Mr. Md. Abdul Halim
... for the petitioner in WPA 19910 of
2023

Mr. Nabhajit Prasad Basu
Mr. Sabyasachi Bhattacharjee
... for the State in WPA 19910 of 2023

Washef Ali Mondal
... for the respondent no. 9 in WPA
15354 of 2023 and respondent no. 8 in
WPA 19910 of 2023

The petitioner alleges that one Talib
Ahmed Jamader, the private respondent in both
the writ petitions, is responsible for making
unauthorized construction.

Learned Advocate representing Talib
Ahmed Jamader denies the allegations of the
petitioner. It has been submitted that no
construction is being made by or at the behest
of the private respondent. The private

respondent is no way connected with the construction complained of.

None represents the Gram Panchayat.

As the petitioner alleges that unauthorized construction has been made by the private respondent and the private respondent denies responsibility of such construction, accordingly, the Panchayat Authority is directed to take necessary steps to deal with the unauthorized construction in accordance with law.

In the event the Gram Panchayat detects any unauthorized construction over JL No. 291, Mouza-Benai, R.S. Plot No. 2288 (L.R. 2690) and R.S. Plot No. 2289 (L.R. 2691) which has been made without a valid sanctioned plan, then steps shall be taken for dealing with the same in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earlier but positively within twelve weeks from the date of communication of this order.

Both the writ petitions are disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)