

WPA 14848 of 2018

Ramen Bhattacharya
Vs.
The State of West Bengal & Ors.

Mr. Priyabrata Batabyal ...for the petitioner.

Mr. Himadri Sikhar Chakraborty ...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the Zilla Parishad and Gram Panchayat despite service.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and complains that a portion of his plot has been utilized by the panchayat authority in constructing a concrete road though no compensation has been paid to the petitioner for the same.

The petitioner submitted a representation before the concerned authority in this regard on 6th February, 2018, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest and demarcation of his land in order to ascertain the portion utilized by the authority.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of

directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 6th February, 2018 within a period of two months from the date of communication of this order upon giving reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

In considering the representation, the concerned authority shall take necessary steps to ascertain the portion of the land of the petitioner, if any, utilized by the panchayat authority and in the event the result is in the positive, necessary consequential steps be taken by the authority within a month thereafter.

With the above observations and directions this writ petition being WPA 14848 of 2018 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)