

Item No.255

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

03.10.2023
Ct-24

WPA 16484 of 2023
Mominuddin Gharami

v.

The State of West Bengal & Ors.

Mr. Subhendu Banerjee
... for the petitioner.

Mr. Debjit Mukherjee
Ms. Oindrila Chatterjee
... for the State.

Mr. G.F. Hossain
Mr. Chandra Paul
Ms. Priyanka Mondal
Ms. Varsha Roy
... for the respondent no. 5.

The petitioner complains of illegal and unauthorized construction at the behest of the private respondent.

On a perusal of the documents annexed to the writ petition it appears that no complaint alleging unauthorized construction was served upon the Gram Panchayat.

Learned advocate representing the private respondent denies the allegation of unauthorized construction.

In view of the above, it will be open for the petitioner to file appropriate objection highlighting the details of the unauthorized construction before the Gram Panchayat.

If such an objection is filed, the same shall be considered by the Panchayat in accordance with law after giving opportunity of hearing to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of filing the objection. A reasoned order shall be passed and communicated to all the parties immediately thereafter.

Prior to consideration of the objection spot inspection shall be conducted to ascertain the nature and extent of unauthorized construction.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

Sh

(Amrita Sinha, J.)