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06.12.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 22321 of 2023

**Ashis Kamila
-versus
The State of West Bengal & Ors.**

**Mr. Amit Baran Dash,
Ms. Ankana Sarkar.
...For the Petitioners.**

**Ms. Sima Adhikari.
...For the State.**

**Mr. Manoranjan Jana,
Ms. Mitali Jana.
...For the Private Respondents.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner alleges illegal and unauthorized construction over a passage without obtaining any sanction.

Complaint was lodged before the Panchayat. The Panchayat conducted a hearing but failed to adjudicate the issue. The parties have been relegated to the competent Court.

Learned advocate appearing for the private respondents submits that there is no unauthorized construction.

The dispute in between the parties appears to be absolutely civil in nature regarding the right, title and possession of the passage in question.

Upon hearing the parties and on perusal of the materials on record, it appears that the Pradhan of the Gram Panchayat has rightly not entertained the prayer of the petitioner and relegated the parties to the competent court. It will not be proper to direct the Gram Panchayat to interfere and decide any civil dispute in between the parties. It will be open for the parties to approach the appropriate civil forum for relief.

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.

(Amrita Sinha, J.)