

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

W.P.A 28859 of 2022

**Debdatta Ghorai
-versus
The State of West Bengal & Ors.**

Mr. Sujit Kumar Rath

... for the petitioner.

Affidavit-of-service filed in Court today be kept with the records.

None appears on behalf of the respondents.

The branches of the tamarind and other trees of the adjacent owner are damaging the property of the petitioner. Complaint was lodged before the Pradhan of the Gram Panchayat in terms of the direction passed by the Court on 1st December, 2021 in WPA 8475 of 2015 (Debadatta Ghorai (Minor) –vs- The State of West Bengal & Ors).

The said complaint is yet to be considered and disposed of.

The Durmuth Gram Panchayat, through the Pradhan, is directed to consider the objection filed by the petitioner in accordance with law after giving reasonable opportunity of hearing to all the necessary parties within four weeks from the date of communication of this order.

If it appears that the branches of the trees are damaging the property of the petitioner, then necessary consequential direction shall be passed by the aforesaid respondent for redressal of the grievances of the petitioner.

The writ petition stands disposed of.

Learned advocate for the petitioner is directed to forward copy of the representation addressed to the Pradhan of the Gram Panchayat to the aforesaid respondents at the time of communicating the order of this Court.

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

(Amrita Sinha, J.)