

M. 251
16.04.2024
AGM

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

**W.P.A 191 of 2024
WITH
Can 1 of 2024**

**Tarani Kumar Ghosh @ Tarani Ghosh & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Sahibuddin Ahmed.
Md. Nizamuddin Molla.
...For the Petitioners.**

**Mr. Anand Farmania.
Mr. Hemant Kumar Das.
...For the State.**

**Mr. Manas Kumar Das.
Mr. Aritra Kumar Thokdar.
...For the Respondent No.6.**

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

The petitioners complain of illegal and unauthorized construction at the behest of the private respondents.

Learned advocate appearing for the private respondent submits, upon instruction that, the construction is being made in accordance with the plan sanctioned by the Gram Panchayat.

It appears from the documents annexed to the writ petition that formal objection before the Panchayat has not been filed by the petitioners till date.

In view of the above, the instant writ petition is disposed of by observing that it will be open for the petitioners to raise appropriate objection before the Gram Panchayat highlighting the illegalities on the part of the private respondents in raising construction. If such representation is made, the same shall be considered in accordance with law after giving reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order.

The writ petition along with application being CAN 1 of 2024 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.)