

34
07.05.2024
d.p.

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

W.P.A. 2807 of 2024

**Sabir Ali Sardar
-versus
The State of West Bengal & Ors.**

**Ms. Afreen Begum.
...For the Petitioner.**

**Mr. Md. Sarwar Jahan,
Ms. Tapati Samanta.
...For the Private Respondent.**

**Mr. Nabyajit Prasad Basu,
Ms. Dipanwita Ganguly.
...For the State.**

The petitioner prays for implementation of the direction passed by the Pradhan, Mayapur Gram Panchayat on 20th July, 2023.

The Panchayat after causing spot inspection and after hearing all the parties have come to a conclusive opinion that the building constructed by the private respondents is without the permission from the competent authority and the construction is illegal. The property in question was found to be undivided.

All further constructions have been directed to remain stopped.

The Pradhan is directed to forward all documents to the Sub-Divisional Officer for taking necessary consequential steps in the event the illegality in construction is not removed.

The Sub-Divisional Officer is directed to oversee the matter and ensure that the mandatory side open spaces are strictly maintained if the construction is to remain in place.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The Sub-Divisional Officer shall take steps in accordance with law and afford reasonable opportunity of hearing to all the necessary parties.

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.)