

Item No.17

21.02.2024
Ct-24

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 4104 of 2024
Hosne Ara Begum

v.

The State of West Bengal & Ors.

Mr. Saurav Sen
Mr. Partha Chakraborty
Mr. Muhammad Obaid
... for the petitioner.

Mr. D.N. Mukherjee
Mr. Janardan Mondal
...for the State.

Mr. Amal Kumar Sen, Ld. AGP.
Mr. Lal Mohan Basu
... for the State.

The petitioner alleges that the Panchayat is taking steps for construction of concrete road over the private land of the petitioner without acquiring the same in accordance with law. An objection is pending consideration before the respondent authorities.

The Panchayat is not represented.

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

As it appears that the petitioner has raised the issue of utilization of private land for public purpose without acquiring the same, accordingly, the instant writ petition is disposed of by directing the Block Development Officer, Deganga to consider the objection filed by the petitioner on February 13, 2024 in

accordance with law after giving reasonable opportunity of hearing to all the necessary parties including the representative of the Gram Panchayat and pass a reasoned order.

If it ultimately transpires that the private land of the petitioner has been utilized for public purpose, then necessary steps shall be taken for acquiring the same in accordance with law.

A decision shall be taken at the earliest but positively within a period of four weeks from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 13th February, 2024 to the aforesaid respondent at the time of communicating the order of the Court.

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.

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(Amrita Sinha, J.)