

21.08.2024
Sl. No.4(DL)
srm

W.P.A. No. 9455 of 2023
Rubita Ghosh & Anr.
Versus
State of West Bengal & Ors.

Ms. Rubita Ghosh,
Ms. Saswati Ghosh Petitioners (In person).

Ms. Munmun Ganguly
...for the State-respondents.

On the last occasion, this matter was mentioned by the petitioners, who are now appearing in person. None appeared on behalf of the State-respondents. Thus, this Court appointed Ms. Munmun Ganguly, learned Advocate, to represent the State authorities. Her appearance be regularised.

Today, learned Advocate appears and briefs the Court on the facts of the case.

It appears that the petitioners filed an application under the Right to Information Act before the Block Land and Land Reforms Officer, Panchla. The Block Land and Land Reforms Officer, Panchla did not provide adequate information. Hence the writ petition has been filed.

It is contended that a spot enquiry was held, but the report was not supplied. The other documents with regard to parcha, khatian, etc. could not be supplied.

Without going into the determination of what transpired in the past, this Court is of the view that justice would sub-served if the Block Land and Land Reforms Officer, Panchla is directed to make a spot verification once again with regard to the disputed passage. The said spot verification shall be held in the presence of the petitioners, Rabindranath Ghosh, Gopal Ghosh, both the sons of late Laxmikanta Ghosh as also Smt. Shyamarani Ghosh, wife of late Kartick Ghosh. Such persons being the neighbours of the petitioners have allegedly blocked the passage which, according to the petitioners, was purchased by their grandfather. They have been allegedly obstructing the petitioners from using their land.

This Court is of the view that a civil suit should have been filed on the allegations made by the petitioners. In any event, such spot verification/enquiry shall be made within two weeks from the date of communication of this order by the Block Land and Land Reforms Officer, Panchla, in the presence of all concerned, as have been mentioned hereinabove. The report shall be prepared within a week thereafter and handed over to the respective parties. The demarcation shall be made by the

Block Land and Land Reforms Officer on the basis of the deeds and records maintained in the office as also on the documents to be supplied by the parties in support of their claim.

It is submitted that the obstruction was made by the said neighbours some time in 2014-15 and since then the petitioners have moved the office of the Block Land and Land Reforms Officer, Panchla for demarcation and necessary action, so that the obstruction can be removed.

Needless to mention, copies of the parcha and khatian which is maintained by the office of the Block Land and Land Reforms Officer, Panchla copies of the LR Plot Nos.5167 and 5019 of mouza Deulpur, J.L. No.12 shall be supplied to the petitioners. It cannot be expected that the office of the Block Land and Land Reforms Officer, Panchla shall not have any of these documents. Any other record, if required by the petitioners, shall also be supplied. All the documents as prayed for shall be supplied within a month.

The learned Advocate for the State-respondents is requested to communicate this order to the office of the Block Land and Land Reforms Officer, Panchla along with a server copy of this order.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)