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06.12.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 11042 of 2024

Swapan Kumar Roy
Vs.
The State of West Bengal & Ors.

Mr. Surya Prasad Chhstopadhyay, Adv.
Mr. Arjun Samanta, Adv.
Ms. Trishtrya Mancherji, Adv.
...for the petitioner

Mr. Lalit Mohan Mahato. Adv.,
Mr. Biswajit Sau, Adv.
...for the State

The grievance of the petitioner is directed against non-consideration of a representation made by the petitioner dated March 11, 2024. It is submitted on behalf of the petitioner that the private respondents have illegally and unauthorisedly made construction without obtaining any sanction or lawful plan.

The State respondents are represented and submit that the disputes raised by the petitioner are purely civil in nature. Moreover, there are factual disputes raised in respect of the premises, over which the alleged construction has taken place. Admittedly, the petitioner and the private respondents are family members. It is submitted on behalf of the State that they have no objection if the

above representation is considered by the concerned Pradhan.

In view of the above, W.P.A. No. 11042 of 2024 stands disposed of by directing the respondent no. 3, being the Pradhan, Bethuadahari-1 Gram Panchayat, to consider and dispose of the representation of the petitioner dated March 11, 2024 within a period of six weeks from the date of communication of this order to the said respondent, in accordance with law and after giving a right of hearing to the affected parties without being influenced by any of the observations and directions made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the Pradhan strictly in accordance with law.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)