

Item No.17
17.01.2024
Court. No. 24
GB

W.P.A. 12374 of 2023

Nur Ali Laskar & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Timir Baran Saha

...for the Petitioners.

*Mr. Indralin Roy,
Mr. Chandan Kumar Mandal*

...for the State.

*Mr. Koustava Ratan Chatterjee,
Ms. Soma Ghosh*

...for the Private Respondents.

Affidavit-of-service filed in Court today, be kept with the record.

The order passed by the gram panchayat on November 22, 2018 directing demolition of the unauthorized structure is yet to be implemented. It appears that the said order was not communicated to the Sub-Divisional Officer for implementation.

The learned advocate representing the Sub-Divisional Officer has relied upon the instruction forwarded by the said officer clearly mentioning that the order of the Pradhan was never communicated and, as such, the same could not be acted upon.

As it appears that a considerable period of time has elapsed after the order of demolition was passed, accordingly, it is high time that the same be implemented.

The present Pradhan of the Deaul Bari Debipur Gram Panchayat is directed to immediately forward the order dated November 22, 2018 vide reference no.62/DDGP/18-19 to the

Sub-Divisional Officer, Baruipur Sub-Division, South 24 Parganas. The Sub-Divisional Officer upon receipt of the aforesaid order shall take necessary steps in accordance with law for implementing the same.

In the event, the Pradhan does not forward the aforesaid to the Sub-Divisional Officer by January 31, 2024, then the Sub-Divisional Officer shall collect the said order from the office of the gram panchayat and take steps for implementing the same.

The order shall be implemented at the earliest but positively by March 31, 2024.

The writ petition stands disposed of.

The instruction forwarded by the Sub-Divisional Officer, Baruipur Sub-Division, South 24 Parganas signed on June 27, 2023 be retained with the records. The report of the Inspector-in-Charge, Kultali Police Station, Baruipur Police District, signed on June 26, 2023 be also retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Amrita Sinha, J.)