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26.11.2024  
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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. No. 13388 of 2024

Kumkum Karmakar  
Vs.  
The State of West Bengal & Ors.

Mr. Arun Naskar  
...for the petitioner  
Ms. Mekhla Sinha,  
Ms. Malabika Ray Dey  
...for the Howrah Zilla Parishad  
Mr. Abhishek Halder,  
Ms. Madhurima Basu  
...for the respondent nos. 6 and 7  
Mr. Sanjib Seth  
...for the respondent no. 10

The grievance of the petitioner is directed against non-consideration of a representation dated August 18, 2023.

It is alleged on behalf of the petitioner that there has been illegal and unauthorized construction by the private respondents. It is further alleged on behalf of the petitioner that notwithstanding the above representation, the concerned respondent Authority and more particularly, the Pradhan, Parbatipur Gram Panchayat, being the respondent no. 7 herein, has taken no steps to consider and dispose of the representation.

On behalf of the respondent no. 7, it is submitted that despite a notice having been served on the petitioner, the petitioner chooses to remain unrepresented.

The private respondent no. 10 submits that there has been no illegal or unauthorized construction and appropriate sanction has been taken in respect of the impugned construction.

The respondent no. 3, being the Howrah Zilla Parishad is represented and submits that no allegation is levelled against them.

In view of the above, W.P.A. No. 13388 of 2024 stands disposed of by directing the respondent no. 7, the Pradhan, Parbatipur Gram Panchayat, to consider and dispose of the representation of the petitioner expeditiously and positively within a period of six weeks from the date of communication of this order to the said respondent after giving a right of hearing to all the affected parties.

It is made clear that no unnecessary adjournments should be granted by the respondent no. 7 to any of the parties.

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 respondent no. 7 strictly in accordance with law.

There shall 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.)