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26.02.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 13749 of 2023

**Bablu Pal
-versus
The State of West Bengal & Ors.**

**Mr. Victor Chatterjee,
Mr. Barnamoy Basak,
Mr. Somdeep Chakraborty,
Mr. Niladri Sarkar.
...For the Petitioner.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For the State.**

None appears on behalf of the private respondent.

The petitioner complains that the private respondent has made construction of cowshed and kitchen in such a manner that free ingress and egress to the petitioner's plot has been blocked.

Complaint was lodged before the Panchayat but the same is yet to be considered and alleged to be kept pending.

The copy of the writ petition sought to be served upon the private respondent has returned 'unserved' with the postal endorsement 'addressee cannot be located'.

I am of the opinion that the issue of blockage of the free ingress and egress to the petitioner's land by construction of cowshed and kitchen has to be redressed by the competent civil Court. The Gram Panchayat will not be the competent authority to decide the issue.

In view of the above, no relief can be granted to the petitioner in the instant case.

It will be open for the petitioner to approach the civil court for relief.

The writ petition stands dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)