

23.04.2024
Court No. 15
Item No. 02
(Suvendu)

W.P.A. 13691 of 2016

Dibyendu Mukherjee & Anr.
-Versus-
State of West Bengal & Ors.

Mr. Sarbananda Sanyal
Mr. Partha Pratim Roy
.....for the petitioners

Mr. Biswabrata Basu Mallick
Ms. Mrinalini Majumder
.....for the State

The writ petition is taken up for consideration in presence of the learned advocates representing the petitioners and the State respondents.

In terms of the order dated 27th February, 2024, a report signed on 22nd April, 2024 by the Block Development Officer, Sonarpur Development Block, District – South 24 Parganas enclosing a report of Sonarpur –II Gram Panchayat dated 19th April, 2024 is placed before this Court and the same is taken on record. A copy of the same is also made over to the learned advocate representing the petitioners.

A case has been made out in the writ petition that in spite of plan being sanctioned in

favour of the petitioners, the petitioners were not permitted to make construction which compelled the petitioners to file the present writ petition.

In consideration of such facts and in view of no representation on behalf of the concerned Panchayat authorities by passing order dated 27th February, 2024, this Court directed the Block Development Officer, Sonarpur Development Block to submit a report relating to grievance of the petitioners.

On perusal of the said report which is filed today on behalf of the concerned Block Development Officer enclosing the report of the concerned Panchayat Pradhan, it appears that no plan was sanctioned in favour of the petitioners on being found that the property in question is debutter property.

It is submitted by the learned advocate representing the petitioners that in this regard he has no instructions.

Having considered the contents of the report filed by the concerned Block Development Officer, no useful purpose would be subserved in keeping the writ petition pending.

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)