

29.08.2024
Item No.35
RP/AN
Ct. No.1

WPA(P) 325 of 2024
Chittaranjan Ghosh & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Malay Bhattacharyya
Ms. Sudipa Sengupta
..... for Petitioner
Mr. Jahar Lal De
Mr. Durgabhusan Mukhopadhyay
..... for State
Mr. Uday Narayan Betal
Mr. Soumen Chatterjee
Mr. Mriganka Patra
..... For Respondents No.9 and 10

1. By filing this public interest litigation the petitioners allege that the private respondent nos.8, 9 and 10 have illegally encroached the pathway and started putting up construction thereon.
2. Learned advocate appearing for the private respondents submitted that the 8th respondent is no more.
3. As could be seen from the documents annexed in the writ petition the Beur Batur Gram Panchayet has already issued a notice to the private respondents on 7th June, 2024. Learned advocate for the private respondents submitted that the private respondents are in possession of sanctioned plan. Since the sanctioned plan was given by the Panchayet Pradhan, namely, the 7th respondent, he is directed to re-examine the sanctioned plan after notice to the

writ petitioners, the private respondents as well as the legal heirs of the 8th respondent and after examining all documents a reasoned order be passed and a copy of the reasoned order be communicated to the petitioners by registered post.

4. It is made clear that the scope of enquiry to be done by the Panchayet Pradhan is only with regard to whether the sanctioned plan has been rightly issued and nothing more than that. The petitioners are directed to appear in person in the office of the Panchayet Pradhan along with a copy of this order and request him for appropriate action.
5. With the aforesaid direction, this writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)