

ML 17
04.03.2024
d.p.

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

W.P.A. 21627 of 2023

**Sk. Md. Nasir
-versus
The State of West Bengal & Ors.**

**Mr. Swarup Banerjee,
Mr. Manoj Kumar Bhattacharyya.
...For the Petitioners.**

**Ms. Mekhla Sinha,
Ms. Malabika Roy Dey.
...For the Howrah
Zilla Parishad.**

**Md. Sarwar Jahan,
Mr. Sirajul Haque Mondal.
...For the Respondent
Nos. 9 to 11 and 13 to 18.**

Affidavit-in-opposition filed on behalf of the Howrah Zilla Parishad in Court today is taken on record.

Report filed by the private respondents and the exception thereto filed by the petitioner be also retained with the records.

It appears from the report of the Zilla Parishad that as the plinth area of the building is 55.007 sq.mt. and the height of the building is 6 mts., the sanctioning authority in the present case will be the Gram Panchayat.

The private respondents, in line with the direction passed by the Zilla Parishad, have already approached

the Panchayat for relief and have obtained a sanction plan.

Accordingly, the order impugned mentioning that the Zilla Parishad does not have the authority to sanction and the parties have been advised to take appropriate steps before the Bankra Gram Panchayat is not required to be interfered with.

No further order is required to be passed in the instant writ petition.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)