

24.07.2024
Sl.No.142
Ct. No.15
S.A.

WPA 22681 of 2023

**Shambhu Charan Dhara
-vs-
The State of West Bengal & Ors.**

Ms. Sananda Bhattacharyya
...for the petitioner
Mr. Nirmalya Biswas
Ms. Kalpita Paul
...for the State

It is the case of the petitioner that he is the owner in respect of plot No.955, Khatian No.1923, J.L. No.12, Police Station-Santipur, District-Nadia.

The petitioner alleges that respondent no.6 and 8 have constructed a drainage system encroaching a part of the said plot for outflow of waste-water from a market place namely, “Bagchara Market”.

The petitioner submits that the construction is unauthorised and, therefore, a direction should be passed upon the Sub-Divisional Officer, Ranaghat for demolition of the drainage system.

On behalf of the State it has been submitted that the construction of the drain was undertaken by the Ranaghat Highway Sub-Division Authority and Public Works Department (Roads). No land of the petitioner has been encroached upon and due permission was also obtained from Panchayat authority.

I am not inclined to delve into the disputed facts as projected by the parties before this Court.

I, however, give a direction upon the Sub-Divisional Officer, Ranaghat, Nadia to consider the representation dated September 16, 2022 (appearing at page 23 of the writ petition) within a period of one month from the date of communication of this order.

A reasoned order should be communicated to the petitioner within a period of seven days thereafter.

The petitioner should be given an opportunity of hearing by the said Sub-Divisional Officer.

Accordingly, **WPA 22681 of 2023** is disposed of.

(Kausik Chanda, J.)