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19.02.2024
d.p.

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

W.P.A 23699 of 2023

**Joydeb Singha
-versus
The State of West Bengal & Ors.**

**Mr. Debashis Roy,
Ms. Sanchayita Das.
...For the Petitioner.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the respondents.

The petitioner alleges that the Pradhan of the Gram Panchayat, at the insistence of the private respondents, have constructed a culvert in front of the residence of the petitioner which is causing obstruction in free ingress and egress to his property.

Objection was filed before the Pradhan of the Gram Panchayat and before other official respondents but none has been taken up for consideration till date.

In the absence of the respondents, the Court will not be in a position to decide the issue conclusively.

In view of the order that I propose to pass none of the non-appearing respondents would be prejudiced if the writ petition is disposed of by the following order.

As an allegation has been made against the Pradhan of the Gram Panchayat, accordingly, the matter is directed to be considered by the Block Development Officer, Mohanpur, Paschim Medinipur.

The aforesaid respondent shall decide the objection filed by the petitioner in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties including the representative of the Gram Panchayat.

A decision shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of this order.

A reasoned order shall be passed and communicated to the parties immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

Learned advocate appearing for the petitioner is directed to forward a copy of the representation received in the office of the Block Development Officer on 3rd August, 2023 to the aforesaid respondent at the time of communicating the order of the Court.

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.)