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19.02.2024
d.p.

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

W.P.A 24196 of 2023

**Kalyanjit Biswas
-versus
The State of West Bengal & Ors.**

**Mr. Atis Kumar Biswas,
Ms. Jyoti Agarwal.
...For the Petitioner.**

**Ms. Sulagna Bhattacharya,
Mr. Rajsekhar Basu.
...For the State.**

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

None appears on behalf of the private respondents.

The petitioner complains that the private respondents have made construction encroaching the public road without obtaining any sanction from the Gram Panchayat.

Objection filed against such unauthorized construction is alleged to be kept pending.

Learned advocate appearing for the State respondents has obtained instruction from the Block Development Officer. The report of the Block Development Officer contains a communication made

by the Pradhan of the Gram Panchayat dated 4th January, 2024. It mentions that the construction in question was erected without any sanction from the Gram Panchayat.

As it appears from the communication made by the Pradhan of the Gram Panchayat to the Block Development Officer that the construction in question has been identified and the same has been found to be made without any sanction, accordingly, the Gram Panchayat is directed to take necessary steps to deal with such unauthorized construction in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties.

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.

Necessary consequential steps shall be taken if it ultimately transpires that the construction has been made over public land and without obtaining any sanction from the Gram Panchayat.

Communication of the Pradhan dated 4th January, 2024 to the Block Development Officer is taken on record.

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.)