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10.12.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 24616 of 2023

Abdul Aziz Khan & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Ambu Bindu Chakraborty, Adv.
...for the petitioners

Ms. Mitali Mukherjee, Adv.
Ms. Rupsa Chakraborty, Adv.
...for the State

The Affidavit of Service filed on behalf of the
petitioners be kept with the records.

The grievance of the petitioners is directed
against non-consideration of a representation dated
September 19, 2023. The petitioners allege that
notwithstanding a representation dated September
19, 2023 filed by the petitioners regarding illegal
construction by the private respondent, the
respondent authority and more particularly, the
Prodhan, Pandua Gram Panchayat, being the
respondent no. 3 herein, has taken no steps to
demolish the same.

The State respondents are represented and do
not want to rely on the Police Report, which was
received by her from the police authorities.

In view of the above, W.P.A. No. 24616 of 2023
stands disposed by directing the respondent no. 3,
being the Prodhan, Pandua Gram Panchayat, to

consider and dispose of the representation of the petitioners dated September 19, 2023 within a period of six weeks from the date of communication of this order to the said respondent after giving a right of hearing to the concerned parties, in accordance with law and without being influenced by any of the observations or directions made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent no. 3 strictly in accordance with law.

Since no Affidavits have been called for in the matter, it is deemed that none of the allegations made in the writ petition are admitted by the respondents.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)