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29.11.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 27075 of 2024

Saidul Sekh @ Sahidul Sekh
Vs.
The State of West Bengal & Ors.

Mr. Atis Kumar Biswas,
Ms. Jyoti Agarwal
...for the petitioner

Mr. Arjun Roy Mukherjee
...for the State

Affidavit of Service filed today be kept with the records.

The grievance of the petitioner is directed against the alleged illegal and unauthorized construction by the private respondents. It is submitted by the petitioner that notwithstanding a complaint dated September 30, 2024 being filed, the concerned statutory authorities have failed and deliberately refused to take any steps in the matter.

On behalf of the State respondents, it is submitted that there is no ongoing construction at the subject premises as on date.

None appears for the private respondents nor is any adjournment prayed for on their behalf.

In view of the submissions made on behalf of the parties, W.P.A. No. 27075 of 2024 stands disposed of by directing the Pradhan, Bikrampur Gram Panchayat, District-Nadia, to consider and

dispose of the representation of the petitioner within seven weeks from the passing of 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 concerned Pradhan strictly in accordance with law.

Since the Police Authorities have no role to play insofar as the alleged illegal construction is concerned, no credence need be given to the Police Report filed by the State respondents insofar as the merits of the alleged illegal construction are concerned.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to be not 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.)