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

W.P.A 26629 of 2023

**Ansar Mallick
-versus
The State of West Bengal & Ors.**

**Mr. Rafikul Islam Sardar.-
...For the Petitioner.**

**Mr. Atarup Banerjee.
Mr. Rajdeep Pramanik.
... For the respondent nos. 7 & 8.**

**Mr. Suman Basu.
... For the Hooghly Zilla Parishad.**

Affidavit-of-service filed in Court today be kept with the records.

The petitioner complains of unauthorised construction over the L.R. plot nos. 2613 and 2614 which are recorded as suna and doba respectively. It has been submitted that construction has been made without obtaining any sanction and without conversion of the classification of the land.

Objection filed against such unauthorized construction has not been considered till date.

Learned advocate representing the private respondents submits, upon instruction that, L.R. plot no. 2614 has been permitted to be converted from doba to bastu in the year 1999. Permission has been obtained for raising construction thereon in the year 1999.

As regards the construction over plot no. 2613, it has been submitted that no construction has been made over the said plot of land.

As it appears that documents have been produced before this Court with regard to conversion of L.R. plot no. 2614 and permission for raising construction thereon, accordingly, the allegation that construction has been made without conversion of the classification of the land and without obtaining the permission from the respondent authority, cannot be accepted.

Accordingly, the instant writ petition is disposed of by directing the Gram Panchayat to decide the objection filed by the petitioner only in respect of L.R. plot no. 2613 after giving reasonable opportunity of hearing to all the necessary parties for production of documents in support of their respective stand.

A spot inspection shall be conducted to ascertain the nature and extent of unauthorized construction. Report of spot inspection shall be circulated upon all the parties and thereafter an opportunity of hearing shall be given to the parties. If it ultimately transpires that unauthorized construction exists, then necessary remedial steps shall be taken at the earliest but positively within a period of four months from the date of communication of this order.

No step is required to be taken in respect of plot no. 2614.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)