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19.04.2024
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Ct 14

WPA 26959 of 2023

Dalim Rao

-vs-

The State of W.B. & ors.

Mr. Golam Mostafa

Mr. Samirul Sardar

Mr. Aktaruzzaman

...for the petitioner

Mr. Ansar Mondal

Mr. Md. Iddrish

....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondent.

Report filed on behalf of the State is also taken on record.

Copy of the same is handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question. The land is recorded in his name. Sanctioned plan was issued for construction of a house. Yet, the private respondent, after becoming Prodhan of the Gram Panchayat, is preventing the petitioner from undertaking such construction.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Inquiry has been made

by seeking response from the respondent no.6, the Prodhan of the Gram Panchayat. According to him, the petitioner is trying to encroach upon a land of the Bagnan-I Gram Panchayat. He has prayed for demarcation of the land by a surveyor before the construction can begin.

Let the local BL & LRO appoint a surveyor for the purpose of demarcation of the land where the petitioner seeks to construct his house.

Let the demarcation be done in the presence of the petitioner or his representative and the concerned Prodhan of the Gram Panchayat and the police personnel to be deputed by the Officer in Charge of Bagnan Police Station, within a fortnight from this date. After obtaining a report of the surveyor, the petitioner shall be entitled to start construction of the property as per sanctioned plan at the earliest.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)