

19
09.04.2024
d.p.

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

W.P.A 28116 of 2023

**Shyamal Lej
-versus
State of West Bengal & Ors.**

**Mr. Gazi Farooque,
Ms. Priyanka Mondal.
... for the petitioner**

**Mr. Sadhan Kumar Halder,
Mr. S. Das.
... for the State.**

The petitioner complains that the Gram Panchayat raised illegal construction over the land granted to the father of the petitioner by way of Patta.

Complaint was lodged before the Pradhan of the Gram Panchayat objecting to such construction but from the photograph produced before this Court it appears that the construction is nearly over.

Learned advocate appearing for the State respondents has obtained instruction from the Block Development Officer wherefrom it appears that the said officer sought for certain information regarding the plot of land where the construction has been made from the Block Land and Land Reforms Officer but the same is yet to be supplied.

In the absence of proper instruction from the respondent authorities, it will not be possible for the Court to decide the issue conclusively.

In view of the above, the instant writ petition is disposed of by directing the Block Development Officer being the respondent no.4 herein to decide the grievance raised by the petitioner after giving a reasonable opportunity of hearing to the representative of the Gram Panchayat and all other necessary parties in accordance with law.

If it ultimately transpires that the construction has been made over the private land of the petitioner and the said construction would be required for public purpose, then necessary steps for acquiring the land of the petitioner by the competent authority shall be initiated in accordance with law.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The Block Development Officer shall proceed to collect all relevant information and supporting documents from the Block Land and Land Reforms Officer, Dhaniakhali Development Block in connection with the subject land for compliance of the direction passed hereinabove.

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.)