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Ct No.02
26.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 1369 of 2024

Tarani Sarkar
-vs-
The State of West Bengal & ors.

Mr. Sabyasachi Chatterjee
Mr. Badrul Karim
Ms. Rishita Chakraborty
...for the petitioner
Mr. Kumar Shantanu
...for the respondent no.9
Mr. Hirak Barman
Mr. Sandip Guha Roy
...for the State

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

Learned counsel appearing on behalf of the
petitioner submits as follows. The petitioner is the
owner of the property adjacent to that of the private
respondnet and has alleged that the latter has
brought up his house in violation of relevant laws.
Accordingly, he made a complaint before the
concerned Panchayat Authorities requesting steps to
be taken. A hearing was also done, but no steps were
taken. Even the representation of the petitioner has
not been disposed of as yet.

Learned counsel appearing on behalf of the respondent no.9 denies the allegations and submits that there is no violation whatsoever made by his client in bringing up the property. The dispute is all about falling of rain water on the petitioner's property.

As the petitioner's prayer is quite innocuous, the application can be disposed of even in the absence of the respondent no.7.

It appears that a hearing has already taken place on the representation of the petitioner.

In view of the above, let the concerned respondent authority namely, the respondent no.7 conclude the hearing and take a decision on the representation of the petitioner in accordance with law and at the earliest, preferably within four weeks from the date of communication of this order. Within a week thereafter, the outcome of the proceeding shall be communicated to the petitioner.

With these observations, the writ petition is disposed of.

It is clarified that this Court has not gone into the merits of the case.

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

(Jay Sengupta, J.)

