

06.11.2025
ML.567

Court No.15
Sg

WPA 2644 of 2025

**Birendra Nath Chowdhury @ Biren Chowdhury
Vs.
The State of West Bengal & Ors.**

Mr. Bhagat Chaudhuri
Ms. Mallika Manna
....for the petitioner.

Mrs. Sipra Mazumdar
Mr. Prativa Ghatak
....for the State.

Let the instruction filed by the State be taken on record.

It is the grievance of the petitioner that although the Bhangamora Gram Panchayat initiated the construction of a "PCC road" in front of the petitioner's house, a portion of the road measuring approximately ten feet in length could not be completed due to the existence of a "Tulsimanicha" within the premises of his neighbour, Shri Naba Kumar Chowdhury, respondent no. 9.

The petitioner submitted a representation before the Block Development Officer, Pursurah, requesting necessary steps for completion of the remaining ten feet of the road. However, no action has been taken by the said Block Development Officer in this regard.

Learned counsel appearing for the State submits that the Block Development Officer sought a report from the concerned Panchayat. Pursuant to

such direction, the Panchayat Pradhan informed the Block Development Officer that, although the Panchayat requested Shri Naba Kumar Chowdhury to remove the “Tulsimanacha”, he refused to comply.

It is admitted that the “Tulsimanacha” is situated on a plot jointly owned by Shri Naba Kumar Chowdhury and his brother, Shri Tusar Chowdhury, respondents nos. 9 and 10.

In such circumstances, this Court finds it difficult to issue any direction upon respondents nos. 9 and 10 or upon the Panchayat for removal of the “Tulsimanacha” in exercise of its writ jurisdiction.

In view of the aforesaid facts, this Court is not inclined to pass any order in the matter.

This, however, shall not preclude the petitioner from approaching the appropriate forum for redressal of his grievance in accordance with law.

Accordingly, **WPA 2644 of 2025** stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Kausik Chanda, J.)