

13.08.2025
Court No.42
Item No.15
sudipta

WPA 2819 of 2025

Uttam Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Anindya Bose
Mr. Santanu Majhi
Ms. Payel Shome

....for the petitioner.

Ms. Mekhla Sinha

....for the State / Howrah Zilla
Parishad.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner seeks for direction upon the respondent authorities for demolition of illegal unauthorized construction undertaken by the private respondents over R.S. Dag No. 749, Khatian No. 1938 / 1939 / 1940 / 1941, J.L. No. 74, Mouza – Khalore.
3. The petitioner contends that the petitioner is the co-owner along with the private respondents in respect of the aforesaid property in question. The private respondents are making unauthorized construction over the petitioner's land effecting the ingress and egress of the petitioner. Representation was made before the local Gram Panchayat on 29th November, 2024. However, no

steps has been taken as yet. Hence, this writ petition.

4. Mr. Anindya Bose, learned Advocate for the petitioner seeks that specific direction be passed upon the Pradhan, Khalore Gram Panchayat, to consider and dispose of the representation of the petitioner dated 29th November, 2024.
5. Learned Advocate appearing for the Howrah Zilla Parishad also submits in the same fashion.
6. State is unrepresented.
7. Despite service none appears on behalf of the respondent no.7, the Pradhan, Khalore Gram Panchayat and private respondent nos. 11 to 15.
8. Upon hearing the learned Advocates appearing for the parties, respondent no.7, Pradhan, Khalore Gram Panchayat, is directed to consider and dispose of the representation of the petitioner dated 29th November, 2024 in accordance with law by adopting the following procedures:
 - (i) Cause an inspection on the property-in-question upon notice to the petitioner as well as private respondents. A report of such inspection along with sketch map

be prepared, which shall be handed over to the parties.

- (ii) Thereafter, the parties shall be heard upon notice and representation of the petitioner dated 29th November, 2024 shall be disposed of by a reasoned order which shall be communicated to the parties within an week of passing of such orders. Parties are granted liberty to produce all relevant records and documents before the Pradhan at the time of hearing.
- (iii) On the basis of materials transpiring during inspection and hearing, the proceedings shall be taken to its logical conclusion in terms of provisions of Section 23 of the West Bengal Panchayat Act.
- (iv) The entire exercise shall be completed within a period of two months from date of communication of this order.

9. Learned Advocate for the petitioner is directed to communicate this order to the respondent no.7, Pradhan, Khalore Gram Panchayat along with the representation dated 29th November, 2024.

10.It is made clear that this Court has not gone into the merits of this writ petition.

11.Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

12.Accordingly, **WPA 2819 of 2025** stands disposed of. Consequently, all pending connected applications, if any, stand disposed of.

13.Interim order, if any, stands vacated.

14.All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

15.Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Bivas Pattanayak, J.)