

12.02.2025

6

Ct. no.39

ss

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**W.P.A. 6178 of 2024**

**Ahmadullah Sk.**

**-Vs-**

**The State of West Bengal & ors.**

Mr. Rajtilak Ghoshal

Mr. Ramashis Mukherjee

Ms. Munmun Mondal

... for the petitioner

Mr. Amal Kumar Sen, Ld. AGP

Mr. Jaladhi Das

... for the State-respondent

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

On the prayer of the learned Advocate for the petitioner, leave is granted to add the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman as added respondent no.10 in this proceeding.

This writ petition has been filed under Article 226 of the Constitution of India seeking direction upon the Panchayat authorities and their men and agents to consider the representation of the petitioner and to take steps in terms of letter dated 31<sup>st</sup> May, 2022.

The petitioner's case in brief is that the petitioner handed over the land to the Panchayat authorities for setting up a pump house for pumping water supply scheme at Moslemabad, Purbapara, Mouza Bridhapara under Atghoria-Simlon Gram Panchayat vide NleT No.

Kalna-I PS/06/2018-19 dated 18<sup>th</sup> December, 2018. Although letter dated 31<sup>st</sup> May, 2022 was issued to the petitioner to operate such water supply but the pumping room was not made accessible to the petitioner. The petitioner made several representations before the Prodhan of local Gram Panchayat as well as to the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman. Since no steps were taken, the petitioner is constrained to file the present writ petition.

Mr. Rajtilak Ghoshal, learned Advocate appearing on behalf of the petitioner submits that direction be issued upon the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman, the added respondent no.10, to consider the representation of the petitioner dated 29<sup>th</sup> July, 2022.

Mr. Amal Kumar Sen, learned Additional Government Pleader appearing on behalf of the State submits that the representation of the petitioner be relegated to the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman for consideration and disposal.

In view of such submissions advanced on behalf of the learned Advocates for the respective parties, the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman being the added respondent no.10, is directed to consider and dispose of the representation of the petitioner dated 29<sup>th</sup> July, 2022 by a reasoned order

after giving opportunity of hearing to all the interested parties including the petitioner and the Prodhan of the concerned Gram Panchayat within a period of eight weeks from the date of communication of this order.

The reasoned order shall be communicated to the petitioner within a period of one week from the date of passing of such reasoned order.

The petitioner is directed to communicate this order to the added respondent no.10, the Block Development Officer, Kalna-I Development Block, Kalna, Purba Bardhaman along with copy of the representation dated 29<sup>th</sup> July, 2022.

Since affidavits have not been called for, the allegations made in the writ petition are deemed to be not admitted.

It is made clear that this Court has not gone into the merits of the application.

With the aforesaid directions, the writ petition being **WPA 6178 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

( **Bivas Pattanayak, J.**)