

10.03.2025
Ct. No. 30
S.L. No.37
SM

WPA 4770 of 2020
Mofizuddin Shaik
Vs.
State of West Bengal & Ors.

Mr. Bapin Baidya
.....for the petitioner

Ms. S. Parveen
Mr. Md. Wasim Akram
.....for the respondent no. 8

Mr. Swapan Banerjee
Mr. S. Mitra
.....for the State

The present writ application has been preferred praying for necessary action by the respondents herein against the private respondent no. 8 herein who has made illegal and unauthorized construction.

Learned counsel for the State Mr. Banerjee has brought the notice of this Court to page 26 (Annexure V) of the writ application which is a reply to the R.T.I application filed by the petitioner herein. In the said reply it has been stated as follows.

*“As per you RTI query seeking information regarding land at plot no. 1691, khatian 729 of mouza Baharu, JL No. 13, this is to inform you that the person **Alauddin Khan son of Late Arshed Khan had not taken any building plan approval from this Gram Panchayat administration so far till dated 18.02.2020.**”*

Sd/-

Pradhan

Baharu, Kshetra Gram Panchayet
Joynagar-I, South 24 Parganas

It appears that the Pradhan of Baharu, Kshetra Gram Panchayet Joynagar-I, South 24 Parganas categorically noted that the respondent no. 8 herein has not taken any building plan approval from the Gram Panchayat administration till 18.02.2020.

Considering the said reply to the R.T.I. application, the writ application is disposed of with the direction that the respondent no. 4 and 5 shall take necessary action in accordance with law as per the relevant provisions of law and rules under the Panchayat Act in respect of the said illegal and unauthorized construction within 60 days from the date of this order by following the guidelines of the Supreme Court in respect of demolition of unauthorized construction/structures.

The writ application stands disposed of .

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, being given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]