

18.02.2025
Sl. No. 03.
D/L.
Mithun
Ct.No.39.

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

WPA 9092 of 2024

**Madan Mohan Pal
Vs.
The State of West Bengal & Ors.**

Mr. Aparajita Mondal,
Mr. Biplab Adak

...for the petitioner

Mr. Lalit Mohan Mahata, AGP,
Mr. Prasanta Behari Mahata

...for the State

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

This writ petition has been filed for consideration
of representation dated 25th March, 2024 alleging of
illegal construction on a portion of land lying and
situated at L.R. Dag No. 293 and 294 respectively
J.L.No.125, in Mouza-Balidaha, Police Station-
Dhaniakhali, District:Hooghly.

It is the contention of the petitioner that the
private respondent no.9 is making unauthorized pucca
construction over the aforesaid property in question. On
25th March, 2024, a representation was made before the
respondent no.7, Pradhan, Gurap Gram Panchayat.
However, no steps have been taken. Hence this writ
petition.

Mr. Aparajita Mondal, learned Advocate for the petitioner submits that the direction be issued upon respondent no.7 to consider the representation of the petitioner dated 25th March, 2024.

None appears on behalf of the State-respondents.

Mr. Lalit Mohan Mahata, learned Additional Government Pleader is requested to appear in this matter. Let the appointment of Mr. Mahata, learned advocate on behalf of the State be regularized by the concerned authority.

Mr. Mahata, learned Additional Government Pleader also submits that the matter be relegated for consideration by respondent no.7, Pradhan, Gurap Gram Panchayat.

Considering the above submissions, the respondent no.7, Pradhan, Gurap Gram Panchayat is directed to consider and dispose of the representation of the petitioner dated 25th March, 2024 by adopting the following procedure:

- (i) Cause an inspection on the property-in-question upon notice to the petitioners as well as private respondent no.9. 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 the representation of the petitioner

dated 25th March, 2024 shall be disposed of by a reasoned order which shall be communicated to the parties within a week of passing of such orders.

- (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 West Bengal Panchayat Act.
- (iv) The entire exercise shall be completed within a period of two months from date of communication of this order.

The petitioner is directed to communicate this order to respondent no.7, Pradhan, Gurap Gram Panchayat along with copy of the representation dated 25th March, 2024.

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

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

With the above observation, the writ petition being **WPA 9092 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

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.)