

**07.03.2025
Item No.19
BR**

**WPA 10094 of 2019
Ashok Kumar Saha
-vs-
State of West Bengal and Ors.**

Mr. Dipankar Dandapath,
Mr. Bhaskar Seth,,
Mr. Piklu Dey
.... For the petitioner

Affidavit of service filed by the
petitioner be kept with the record.

In spite of due service there is no
representation of behalf of the respondents.

The present writ application has been
preferred praying for direction upon the
respondent authorities, principally the
respondent no. 5 herein to inspect and take
necessary steps to demolish the
construction work made on the said plot of
land viz. R.S. and L.R. Dag No. 324 and
322/1335 within Mouza Ektarpur.
Takinagar, J.L. No. 90, L.R. Khatian no.
950 under the jurisdiction of Dantan Police
Station, District –Paschim Medinipur
including encroached land of the petitioner.

It is submitted that the private respondents have made illegal and unauthorized construction encroaching the petitioner's land. It is further stated that in spite of having placed a representation dated 22nd April, 2019 the local Proddhan, the respondent no. 5 herein is not taking any steps in accordance with law nor considering the representation filed by the petitioner.

Considering the said fact and the materials on record the writ application is disposed of with the direction that the respondent no. 5 shall inspect the premises in question within a period of 15 days from the date of communication of this order in presence of all stakeholders and the effected parties being the private respondent and the petitioner and on consulting the BL and LRO records and maps and all other relevant documents shall take a reasoned decision in the matter. On conclusion of the hearing which shall also include considering the representation dated 26th April, 2019 filed by the petitioner, take necessary steps in accordance with law and the Panchayat Act within 30 days after conclusion of the hearing.

The result of the hearing shall be informed to all the effected parties.

The writ application stands disposed of.

Parties are to act on the server copy of this order.

Urgent Photostat certified copy of this order, if applied for be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)