

11.02.2025
Sl. No.4(DL)
Ct. No.39
srm

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

W.P.A. No. 12428 of 2024

Prasanta Pal

Versus

The State of West Bengal & Ors.

Ms. Aparajita Mondal,
Mr. Biplab Adak

...for the Petitioner.

Ms. Anjusree Mukherjee,
Mr. Sujay Ash

...for the State-respondents.

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

This writ petition has been filed under Article
226 of the Constitution of India for considering the
representation of the petitioner dated 24th April, 2024.

The petitioner's case in brief is that the petitioner
is a co-sharer in respect of a plot of land within
Khatian No.873, J.L. No.57 of Mouza Jothisubal, Police
Station-Jamalpur, District-Purba Bardhaman. The
respondent No.10 being one of the co-sharers has
started to make a *pucca* construction over the un-
partitioned property without prior permission from the
concerned authorities. The petitioner made a
representation on 24th April, 2024 for redressal of his
grievance. However, the same has not been considered
as yet. Hence this writ petition.

Ms. Aparajita Mondal, learned Advocate appearing for the petitioner submits for consideration of the representation of the petitioner by the respondent No.8, Pradhan, Chakdighi Gram Panchayat.

Ms. Anjusree Mukherjee, learned Advocate appearing for the State-respondents also submits that the matter may be relegated to the respondent No.8, Pradhan, Chakdighi Gram Panchayat for consideration of the aforesaid representation.

Despite service, none appears on behalf of the respondent No.8, Pradhan, Chakdighi Gram Panchayat.

The private respondent is also unrepresented, despite service.

In view of the submissions as aforesaid, the respondent No.8, Pradhan, Chakdighi Gram Panchayat is directed to consider the representation of the petitioner dated 24th April, 2024 and dispose of the same within a period of two months from the date of communication of this order after giving opportunity of hearing to all interested parties including the petitioner by a reasoned order.

The reasoned order shall be communicated to the petitioner.

Learned Advocate for the petitioner is directed to communicate this order to the respondent No.8, Pradhan, Chakdighi Gram Panchayat.

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

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

With the aforesaid directions, the writ petition being **WPA 12428 of 2024** stands disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

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

(Bivas Pattanayak, J.)