

27-08-2025
Item No.45
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.11545 of 2025
Gangadhar Naskar
-vs-
The State of West Bengal & Ors.

Mr. Chinmoy Pal
Mr. Archan Dutta
Ms. Aditi Bhattacharyya ...for the petitioner

Mr. Biswabrata Basu Mallick, AGP
Mr. Biman Halder ...for the State

1. The petitioner alleges that despite receiving money under the *Bangla Awas Yojna*, he cannot raise construction as obstruction is being raised by the private respondents and no protection has been granted to the petitioner by the police despite order passed by this Court.
2. Learned counsel for the State has obtained instructions from the Joynagar police station dated August 21, 2025 wherefrom it appears that the petitioner did not at all approach the police for relief. The police conducted an inquiry where the private respondents denied any resistance to the petitioner for raising construction. On the contrary, it has been revealed that the petitioner never visited the subject place.
3. From the documents annexed to the writ petition it appears that the petitioner had approached this Court earlier by filing WPA No.6013 of 2025 which stood disposed of on March 28, 2025 directing the Officer-in-Charge of Joynagar police

station to consider the petitioner's representation for affording police protection at the time of raising construction. The police have forwarded information that the petitioner did not seek any assistance.

4. The Court is doubtful with regard to the genuine intention of the petitioner to raise construction. The petitioner has admitted receiving Rs.60,000/- (rupees sixty thousand only) for raising construction.
5. Therefore, the Officer-in-Charge of Joynagar police Station is directed to ensure that no obstruction is caused to the petitioner at the time of raising construction.
6. In the event the petitioner does not raise any construction by October 31, 2025, the amount received by the petitioner shall be refunded to the concerned authority.
7. The District Magistrate, South 24 Parganas is directed to appoint a competent officer to enquire as to whether the money received by the petitioner under the *Bangla Awas Yojna* is properly utilized by the petitioner. If the same has not been utilized for the purpose it was allotted, steps to take refund shall be initiated against the petitioner.
8. The writ petition stands disposed of.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

