

07.03.2025

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Ct. no.39

ss

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

W.P.A. 17814 of 2024

Chandan Ghosh & anr.

-Vs-

The State of West Bengal & ors.

Mr. Keshab Chandra Das

Ms. Aparajita Mondal

... for the petitioners

Mr. Amal Kr. Sen, Ld. AGP

Mr. Lal Mohan Basu

... for the State-respondent

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

The writ petition has been filed for consideration of
the representation of the petitioner dated 26th June,
2024.

The petitioners allege of unauthorized construction
over the plot of the petitioners at L.R. Dag No.1135, J.L.
No.99 in Mouza Itla by the private-respondents. The
petitioners made a representation before the local Gram
Panchayat on 26th June, 2024. However, the same has
not been considered as yet. Hence, this writ petition.

Mr. Keshab Chandra Das, learned Advocate for the
petitioners seeks for a direction upon the Pradhan,
Paratal-2 No. Gram Panchayat, to consider and dispose of
the representation of the writ petitioners.

Mr. Lal Mohan Basu, learned Advocate for the
State-respondent also submits for relegating the matter to

the Pradhan, Paratal-2 No. Gram Panchayat, the respondent no.8 to consider and dispose of the representation of the writ petitioners.

Despite service none appears on behalf of the private-respondents.

Considering the submissions advanced by the learned Advocates for the respective parties, the respondent no.8, the Pradhan, Paratal-2 No. Gram Panchayat is directed to consider and dispose of the representation of the petitioners dated 26th June, 2024 by adopting the following procedure:

- (i) Cause an inspection on the property-in-question upon notice to the petitioners as well as private respondents. 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 petitioners dated 26th June, 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 petitioners are directed to communicate this order to respondent no.8, the Pradhan, Paratal-2 No. Gram Panchayat along with copy of the representation dated 26th June, 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 aforesaid directions, the writ petition being **WPA 17814 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

There shall be no order as to costs.

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.**)